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AI

HOUSE OF REPRESENTATIVES,

OF THE

FIFTH LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF IOWA,

BEGUN AND HELD AT IOWA CITY, ON THE FIRST MONDAY OF DECEMBER, ONE THOUSAND EIGHT HUNDRED AND FORTY-TWO.

IOWA CITY:

PRINTED BY WILLIAM CRUM.

1843.

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

TERRITORY OF IOWA,

Begun and held at Iowa City, on Monday the 5th day of December, in the year of our Lord, one thousand eight hundred and forty-two, by virtue of an Act of the Legislative Assembly, approved January 13, 1841.

At 12 o'clock, M., the House was called to order by Joseph T. Fales, Chief Clerk, when the following named gentlemen appeared, presented their credentials, and took their seats, the requisite oath having been administered by F. H. Lee, Esq.:

From the County of Lee—James Brierly, E. S. McCulloch, and William Steele.

From the County of Van Buren—Rickey D. Barton, Isaac N. Lewis, and Samuel Swearingen.

From the County of Des Moines—David E. Blair, Abner Hackleman, George Hepner, and David J. Sales.

From the County of Henry—Evan Jay, Thomas McMillan, and Paton Wilson.

From the County of Jefferson—John W. Culbertson.

From the County of Louisa—Joseph Newell.

From the County of Washington—David Bunker.

From the County of Muscatine—Err Thornton.

From the County of Johnson—Henry Felkner.

From the Counties of Cedar, Linn and Jones—Geo. H. Walworth and John C. Berry.

From the County of Scott—Joseph M. Robertson.

From the County of Clinton—Eli Goddard.

From the County of Jackson—Ansel Briggs.

From the Counties of Dubuque, Delaware and Clayton—**Thomas Rogers**, and **Frederick Andros**.

A quorum of the members elect being present, it was,

On motion of Mr. Wilson,

Ordered, That Joseph M. Robertson, of Scott county, be appointed Speaker pro tem.

On motion of Mr. Walworth,

Resolved, That a committee of two be appointed to wait on the Rev. Mr. Bowman, and request him to open the present session of the House by prayer.

Messrs. Walworth and McCulloch were appointed said committee, who, in a short time, introduced Mr. Bowman, when he engaged in public prayer.

On motion of Mr. Felkner,

Ordered, That the House proceed to elect, viva voce, a committee to examine the credentials of members.

On motion of Mr. Lewis,

The following named gentlemen were appointed said committee: Messrs. Rogers, Jay, Barton, Hepner, and Culbertson.

On motion of Mr. Hepner,

Ordered, That the Rules of the last session of the House be adopted temporarily for the government of this House.

A motion was made by Mr. Rogers, that the committee appointed to examine the credentials of the members have time until to-morrow morning to make their report.

The motion was decided in the negative.

A motion was made by Mr. Hepner, that the House do now adjourn until to-morrow morning at 9 o'clock. And, the question being put, was decided in the negative;

Yeas 11; Nays 14.

The yeas and nays being desired by two members, those who voted in the affirmative were,

Messrs. Andros,
Berry,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
McCulloch,
Rogers.

Those who voted in the negative were,

Messrs. Barton,
Blair,
Bunker,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

A motion was made by Mr. Walworth, that the House do now adjourn until 2 o'clock P. M.

The motion was lost.

A motion was made by Mr. McMillan, that the committee appointed to examine the credentials of the members have leave to sit during the session of the House, and to report forthwith.

And on this question the yeas and nays were desired by two members.

Those who voted in the affirmative were,

Messrs. Brierly,
Culbertson,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Berry,
Barton,
Blair,
Briggs,
Bunker,
Felkner,
Goddard,
Hackleman,
Hepner,
McCulloch,
Rogers.

The committee retired and after a short time returned and asked for further time.

On motion of Mr. Felkner,

Ordered, That the committee have until 3 o'clock to make their report.

On motion of Mr. Walworth, the House adjourned until three o'clock, P. M.

THREE O'CLOCK, P. M.

On motion of Mr. Lewis,

Ordered, That William Meachem be appointed Sergeant at Arms pro tem.

A motion was made by Mr. Rogers,

That the committee on elections have further time to make their report.

The motion was lost.

The committee retired and after a short time submitted the following report, viz:

The committee appointed to examine the credentials of the members of this House, have had the same under consideration, and report, that those individuals who were sworn in as members of this House to day, have been duly elected as such.

The report was concurred in.

A motion was made by Mr. Hackleman,

That the House do now adjourn until 10 o'clock to morrow morning;

And the question being put,

It was determined in the negative.

A motion was then made by Mr. Rogers,

That the House adjourn until 7 o'clock in the evening;

And the question being put,

It was decided in the negative; yeas 10, nays 15.

The yeas and nays being desired by two members,

Those who voted in the affirmative were,

Messrs. Andros,
Berry,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
McCulloch,
Rogers.

Those who voted in the negative were,

Messrs. Barton,
Blair,
Brierly,
Bunker,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

So the motion was lost.

A motion was made by Mr. Wilson,

That the House proceed to the election of a Speaker.

And the question being put,

It was decided in the negative, yeas 10, nays 15.

The yeas and nays being desired by two members,

Those who voted in the affirmative were,

Messrs. Blair,
Bunker,
Jay,
McMillan,
Newell,
Sales,
Steele,
Thornton,
Walworth,
Wilson.

Those who voted in the nagative were

Messrs. Andros,
Barton,
Berry,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Lewis,
McCulloch,
Robertson,
Rogers,
Swearingen.

So the motion to proceed to the election of a Speaker was lost.

On motion of Mr. Rogers,

The House adjourned until to morrow morning at 9 o'clock.

TUESDAY MORNING, DECEMBER 6, 1842.

The House met pursuant to adjournment.

Mr. Hepner presented the credentials of James M. Morgan, member elect from the county of Des Moines, who was sworn and permitted to take his seat.

Mr. Lewis offered the following:

Resolved, That it is the duty of this House to select its officers equally from each of the great political parties of this Territory.

And the question being put, will the House adopt the resolution? it was decided in the affirmative.

Yeas 17, Nays 9.

The yeas and nays being desired by two members,

Those who voted in the affirmative were,

Messrs. Barton, Berry, Blair, Brierly, Bunker, Culbertson, Jay, Lewis, McMillan, Newell, Robertson, Sales, Steele, Swearingen, Thornton, Walworth, Wilson.

Those who voted in the negative were,

Messrs. Andros, Briggs, Felkner, Goddard, Hackleman, Hepner, Morgan, McCulloch, Rogers.

On motion of Mr. Hepner,

Ordered, That a committee of one from each electoral district be appointed to make an apportionment of the officers according to representation, as near as may be.

Messrs. Brierly, Lewis, Hackleman, Jay, Culbertson, Newell, Walworth, Thornton, Goddard, and Andros, were appointed said committee.

On motion of Mr. Barton,

The committee were directed to report at 3 o'clock P. M.

On motion of Mr. Walworth,

The House adjourned until 3 o'clock P. M.

THREE O'CLOCK, P. M.

Mr. Brierly, from the select committee appointed to make an opportionment of the officers of the House between the political parties of the Territory, reported that they had had the same under consideration, and would recommend that the House elect a Democratic Speaker, a Whig Clerk, and a Democratic Sergeant-at-Arms.

And the question being, will the House adopt the report of the committee? it was decided in the affirmative.

Yeas 15, Nays 11.

The yeas and nays being desired by two members,

Those who voted in the affirmative were,

Messrs. Barton,
Blair,
Brierly,
Bunker,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Berry,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Morgan,
McCulloch,
Rogers.

On motion of Mr. Newell,

The House proceeded to the election of a Speaker.

Messrs. Walworth and Newell were appointed tellers.

Mr. Andros nominated James M. Morgan.

The members balloted, and, after counting the same, it was found that

Henry Felkner had received	13 votes,
James M. Morgan "	12
Blank	1

There being no choice, the House proceeded to a second ballot, and, upon counting the same, it appeared that

James M. Morgan had received	13 votes,
Scattering	13

No choice being made, the House balloted the third time, when it appeared that

James M. Morgan had received	14 votes,
Scattering	12

Mr. Morgan, having received a majority of all the votes, was declared duly elected Speaker.

Messrs. Hepner and Jay conducted the Speaker to the chair, when he addressed the House as follows:

Gentlemen—I feel sincerely grateful for the honor which you have just conferred upon me. And in accepting it, gentlemen, you may be assured that I am neither unmindful of the high responsibilities which I assume, nor unconscious of my inability faithfully and properly to discharge the duties which devolve upon the presiding officer of this House. But little practiced in the business of legislation, and possessing only a partial knowledge of parliamentary rules, I shall doubtless commit many errors—but I trust, gentlemen, that your generosity will attribute them more to an imperfect understanding of your rules than to a design to thwart your wishes. Relying, as I shall do at all times, upon your generous assistance, I accept, with feelings of gratitude and pride, the honorable place which you have assigned to me in this assembly—and I am happy in the belief, gentlemen, from the character of this honorable body, that I may rely with confidence upon your kindness for any aid which I may need in the discharge of my duties. Again, gentlemen, I offer you my thanks for the distinction which you have been pleased to bestow upon me.

A motion was made by Mr. Andros that the House do now adjourn until to-morrow morning at 10 o'clock; and the question being put, it was determined in the negative.

Yeas 12, Nays 14.

The yeas and nays being desired by two members,

Those who voted in the affirmative were,

Messrs. Andros,
Berry,
Brierly,
Briggs,
Culbertson,
Felkner,
Hackleman,
Hepner,
McCulloch,
Rogers,
Swearingen,
Speaker.

Those who voted in the negative were,

Messrs. Barton,
Blair,
Bunker,
Goddard,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Thornton,
Walworth,
Wilson.

On motion of Mr. Wilson,

The House proceeded to elect a Chief Clerk.

Mr. Jay nominated B. F. Wallace.

Mr. Rogers nominated Jos. T. Fales.

The members proceeded to ballot, and, upon counting the same, it was found that

B. F. Wallace had received	-	15 votes,
Jos. T. Fales "	-	11

Mr. Wallace, having received a majority of all the votes, was declared duly elected Chief Clerk.

On motion of Mr. Lewis.

The House proceeded to the election of a Sergeant-at-Arms.

Mr. Lewis nominated Wm. Meacham;
Mr. Rogers nominated F. Byerly;
Mr. Briggs nominated Matthew Dwen;
Mr. Steele nominated John Brown;
Mr. Wilson nominated James McCaulley;
Mr. Brierly nominated C. Parker.

The members balloted, and, upon counting the same, it was found that

Mr. Meacham	had received	-	9 votes,
Byerly	“	-	2
Dwen	“	-	1
McCaulley	“	-	7
Brown	“	-	1
Taylor	“	-	1
Parker	“	-	2
Blank	“	-	3

There being no choice, the House went into a second ballot.

Mr. Hepner nominated T. A. Taylor.

After balloting, it was found that

Mr. Meacham	had received	-	14 votes,
McCaulley	“	-	7
Taylor,	“	-	4
Dwen	“	-	1

Mr. Meacham, having received a majority of all the votes, was declared duly elected Sergeant-at-Arms.

On motion of Mr. Barton,

The House adjourned until to-morrow morning at 10 o'clock.

WEDNESDAY MORNING, DECEMBER 7, 1842.

The House met pursuant to adjournment.

B. F. Wallace, Chief Clerk elect, and William Meacham, Sergeant-at-Arms elect, came forward and were sworn into office.

Mr. Lewis moved

That a committee of one from each electoral district be appointed to draft Rules for the government of the House;

Which was agreed to, and

The Chair appointed Messrs. Andros, Barton, Brierly, Culbertson, Felkner, Hepner, McMillan, Newell, Robertson, and Walworth, said committee.

Mr. Robertson moved

That a committee of two be appointed to inform the Council that the House of Representatives was organized and ready to proceed to Legislative business;

Which was agreed to, and

The Chair appointed Messrs. Robertson and Hepner said committee, who reported in a short time that they had discharged their duty.

Mr. Lewis offered the following:

Resolved, That the Chief Clerk of this House be directed to make arrangements with the Postmaster of this city for the payment of all postage on letters and papers sent to and from this House, during the present session, and report the same to this House.

On motion of Mr. Wilson,

The House adjourned until 2 o'clock P. M.

TWO O'CLOCK, P. M.

Mr. Andros offered the following:

Rosolved, That the publishers of the Iowa City Reporter do the incidental printing of this House during the present session.

Mr. Newell moved to amend the resolution by striking out the words "Iowa City Reporter" and insert "Iowa Standard."

Mr. Brierly moved a call of the House, which was had, and the absent members sent for.

The absent members appearing in their seats,

On motion of Mr. Rogers,

The further call of the House was dispensed with.

Mr. Lewis then moved that the resolution be laid upon the table until Tuesday next;

Which was agreed to.

Mr. Barton offered the following:

Resolved, That the Rev. Dr. Woods and the Rev. Mr. Bowman be permitted to preach in this House every Sabbath, as may suit their own arrangements;

Which was,

On motion of Mr. Rogers,

Laid on the table until to-morrow.

On motion of Mr. Felkner,

Resolved, That the Chief Clerk furnish each member of this House with twenty copies, weekly, of such newspaper or papers published in this city, as they may direct;

Which was adopted.

Mr. Hackleman offered the following:

Resolved, That the Governor, Secretary, members of the Council, Judges of the Supreme Court, members of the former Council and House of Representatives, Ministers of the Gospel, Editors of the [illegible] ferent newspapers, and all persons having special business with this House, be allowed to take seats within the bar of this House.

Mr. Rogers moved to lay the resolution on the table;

Which was disagreed to.

Mr. Rogers then moved to amend the resolution by adding the following: "All gentlemen of the legal and medical professions, and farmers and mechanics, be privileged to take seats within the bar of this House;"

Which was lost.

Mr. Felkner then offered the following as a substitute:

Resolved, That the Governor, Secretary, members of the Council, and Editors of newspapers, be permitted to take seats within the bar of this House;

Which was adopted.

Messrs. Gehon and Wallace, a committee from the Council, appeared and informed the House of Representatives that the Council were now organized and ready to proceed to Legislative business.

The following message was received from the Council by Mr. Fales, their Secretary:

Mr. Speaker—The Council have appointed Messrs. Springer and Cook a committee on the part of the Council, to act in conjunction with a similar committee to be appointed on the part of the House to wait upon the Governor and inform him that the two Houses are now organized and ready to receive any communication he may have to make to them.

On motion of Mr. Wilson,

Resolved, That there be a committee of two members of the House appointed, to act with a corresponding committee of the Council, to wait upon his Excellency the Governor, and inform him that the two Houses are organized and ready to receive any communication he may have to make to them. And

The Chair appointed Messrs. Wilson and Felkner said committee.

Mr. Rogers gave notice that he would, on some future day, introduce a bill to repeal the charter of the Miners' Bank of Dubuque, and to provide for the winding up of the affairs of the same.

Mr. Wilson, from the committee appointed to wait upon the Governor, &c. reported that they had discharged the duty assigned them, and that the Governor would send in his communication immediately.

Mr. Reno, the private secretary of the Governor, appeared and presented the following

MESSAGE FROM THE GOVERNOR.

Fellow Citizens of the Council,
And of the House of Representatives:

Since the last annual meeting of the Legislative Assembly, the people of the Territory have continued to enjoy the blessings of health and peace, and industry has been rewarded with abundance. Let us, therefore, in renewing our efforts to promote the general welfare, not forget to acknowledge, with humility, our dependence upon the Most High, and to implore a continuance of his protection and favor.

Our population has continued steadily to increase, and the progress of improvement, in the limited extent of territory open to settlement, has been most cheering.

By a treaty recently made with the Sac and Fox Indians, under the direction of the President, they have ceded to the United States all their remaining claims to land in this Territory, embracing a tract of country estimated to contain ten millions of acres, a very large proportion of which is unsurpassed in fertility and beauty by any in the world—abounding in navigable streams of the purest water, and offering inducements to its settlement at least equal to any portion of the great valley of the Mississippi. If this treaty should meet the approbation of the President and Senate, the immediate influx of population into the country acquired by it will, in order to give effect to the laws and ensure the due administration of justice, render the organization of additional counties necessary.

Under the provisions of the Act of the last session "to provide for the expression of the opinion of the people of the Territory upon the subject of the formation of a State Constitution and Government, and to enable them to form a Constitution for the State of Iowa," polls were opened in all the counties, at the time of holding the general election for members of the Council and House of Representatives, and the question of "Convention" or "No Convention" submitted to the voters. Returns of the result have been made to the Secretary of the Territory, (with the exception of a single precinct in one of the counties,) which show a majority in every county, and a large aggregate majority, against a convention.

The progress of the edifice for the accommodation of the Legislature and the Public Offices at the seat of Government, has been quite as rapid and satisfactory as the means placed at the disposal of the Territorial Agent and Superintendent could have justified us in expecting. Whether the provision already made will be sufficient for the completion of the building, you will be enabled to determine after the raports of the Agent and Superintendent shall be submitted to you.

The further progress of the Penitentiary buildings is arrested by the want of means to carry on the work; and, although Congress has appropriated money to pay the debts heretofore contracted for labor performed and materials furnished, we are left to regret the failure to supply the means of completing it—and to regret it the more deeply, because, while our citizens, by their enterprise and industry, are daily enhancing the value and availability of the public domain within our Territorial limits, it forms so large a portion of the great source of revenue, available to our more fortunate neighbors of the States, but prohibited to us, that, to raise revenue for such purposes by a direct tax upon those who have obtained a right to small portions of land, by the sacrifice of all their present enjoyments and many of the comforts of a more advanced stage of improvement, would be unjust and oppressive—struggling, as they are, amidst the exhaustion of their pecuniary means thus produced, to erect shelters for their families, and bring into cultivation a sufficient portion of the soil for their support. Such a tax, in addition to the contributions demanded of them for indispensable county purposes, would operate with a degree of severity which, it is feared, the Representatives of the States in Congress do not justly appreciate. Our population, like that of most new countries, is made up, in a great degree, of enterprising and industrious individuals with young and dependent families, who, urged by the hope of bettering their condition, press forward to the frontier with very limited means; and all the money they bring with them, as well as the first products of their labor, is immediately absorbed in the purchase of small portions of land, and in efforts to render it available for their subsistence. None but those who have witnessed can justly appreciate the privations, and, in many instances, the actual suffering, submitted to by the enterprising and hard working inhabitants of a frontier settlement, for the procurement of permanent homes, in even the smallest legal subdivision of the public land. To such a population, standing in the front rank of the general defence, in case of war with our savage neighbors, extending the march of civilization into the wilderness, increasing the population and resources of the Republic, and replenishing the national treasury, by the application of all their resources to the purchase of the public lands, (which but for their enterprise and industry would be comparatively valueless,) a just and liberal government ought not to dole out its aid with a parsimonious hand.

Our criminal laws have been enacted with a view to the reformation of offenders, by the substitution of confinement and labor for punishments of a sterner character. Their due administration is inseparably connected with the use of the Penitentiary; and, in the absence of the hoped for aid of the General Government to complete it, I commend to your earnest consideration whether, under existing circumstances, any means, not absolutely oppressive to our fellow citizens, can be devised for carrying on and so far perfecting the work as to render it more extensively available for the purposes for which it was commenced.

In my last annual message I took occasion to call the attention of the Legislature to the inefficiency of the law to prohibit and punish the sale of intoxicating liquors to our Indian neighbors; but no further legislation on the subject was then deemed necessary, and the offence has continued to be perpetrated, with very few exception, with entire impunity, and is increasing in frequency. I deem it, therefore, an imperative duty again to invoke your deliberate consideration of the matter. The crime not only involves a breach of positive law, and a most pernicious and degrading disregard of the principles of morality and religion, but tends to produce collisions between our frontier inhabitants and the Indians, affecting life and the destruction of property, and may lead to conflicts of a more extensive and dangerous character, without some more effectual means of suppressing it than at present exist can be devised.

No serious effort seems to have been made in any part of the Territory to carry into operation the plan of public instruction provided for by the existing laws; and it is to be feared that until the *permission* to organize township schools is rendered a positive duty, enforced by proper penalties for neglect, the laws now in force will remain inoperative.

The almost total failure of the officers of our militia to make returns of the numerical strength and equipment of their respective commands as required by law, puts it out of the power of the War Department of the General Government, under the existing laws of the United States, to make such a distribution of arms to the Territory as, with proper returns and reports, we should be entitled to; and such is the universality of this gross negligence of duty, that it seems to leave the executive authority no means of correcting the evil but by a resort to the onerous duty of a general dismission of delinquents from command, leaving it doubtful whether others could be found to fill their places who would perform the duties with more efficiency. I would, therefore, respectfully suggest for your consideration the propriety of imposing pecuniary penalties for this description of official delinquency; and (as it would be difficult, if not impossible, under existing circumstances, to constitute a military court, in which the judges and the accused would not be found equally in default) to commit the enforcement of such penalties to the civil tribunals.

The experience of another year confirms the opinion expressed at the close of the last, of the vast importance to the people of the west of the removal of the obstructions to the safe navigation of the Mississippi and its principal tributaries. The destruction of property (to say nothing of the loss of life) occasioned by these obstructions, in the last ten or twelve months, is believed to be equal in amount to the sum necessary for their removal; but, as a work of so much magnitude and general importance can only be effected by the concentrated action of the nation, through its Representatives in Congress, we must endeavor to console ourselves with the hope that the time cannot be very remote when union and concert among the representatives of the people interested in the navigation of the western rivers, will convince their brethren of the Atlantic States that *their interest* will be best consulted by allowing to us a just participation in the benefits to be derived from the application of the national treasure to the protection and security of commerce. The west has a right to demand such a participation, and, with union and concert among its representatives, the power to obtain it. Iowa, it is true, has no voice in the councils of the nation, but her citizens are contributors to the support of its government, and have a right to expect equal benefits from its action, which it can hardly be alleged they enjoy, while hundreds of thousands of dollars worth of their property is annually destroyed upon one of the largest rivers in the world, for the want of an expenditure of a much less sum than has been appropriated from the national treasury for the construction of a single breakwater or artificial harbor in the Delaware river, *for the* *protection of commerce.* Whether it is worth while further to press this subject upon the attention of the *present* Congress by way of memorial or petition, is respectfully submitted to your consideration.

The restrictions imposed by an Act of the last session of Congress upon the expenditure of the appropriations for the support of the Territorial Governments, as well as the sum appropriated for this Territory, indicates a necessity for retrenchment in the usual expenses incident to your session. It is my duty, therefore, to recommend despatch in the performance of your legislative duties and economy in the expenditure of the fund appropriated for the expenses of your session.

It remains only for me to assure you of my readiness to co-operate with you in such of your acts as may require executive interposition.

I am, respectfully,
Your obedient servant,
JOHN CHAMBERS.

December 7th, 1842.

Mr. Hepner moved

"That the Message be laid upon the table, and the Chief Clerk directed to furnish one thousand (1000) copies for the use of the House.

Mr. Wilson moved

"To amend by striking out "one thousand" and inserting "fifteen hundred;" on which question the yeas and nays were ordered, and are as follows:

YEAS.
Messrs. McMillan.
Newell,
Wilson—3.

NAYS.
Messrs. Andros,
Barton,
Berry,
Blair,
Brierly,
Briggs,
Bunker,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Jay,
Lewis,
McCulloch,
Robertson,
Rogers,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Speaker-23.

The original motion was then put and agreed to.

Mr. McMillan offered the following:

Resolved, by the Council and House of Representatives, That it is expedient to revise the laws of a general nature now in force in this Territory, and that a committee of —— members on the part of the Council, and —— members on the part of the House of Representatives, be appointed a Committee of Revision for that purpose.

On motion of Mr. Rogers,

The House adjourned until 10 o'clock to-morrow morning.

THURSDAY, DECEMBER 8, 1842.

The House met pursuant to adjournment.

On motion of Mr. Robertson,

Resolved, That the following be the standing committees of this House:

On Judiciary;
- Common Schools;
- Internal Improvements;
- Claims;
- Military Affairs;
- Enrolled Bills;
- Engrossed Bills;
- Expenditures;
- Territorial Affairs;
- Roads and Highways;
- Corporations;
- Township and County Boundaries;
- Public Buildings;
- Agriculture.

Mr. Wilson offered the following:

Resolved, That the Secretary be requested to furnish each member of this House with the Statutes of this Territory;

Which was agreed to.

On motion of Mr. Robertson,

Resolved, That the Chief Clerk make out written instructions to the subordinate officers of this House, to aid them in the discharge of their respective duties.

The Chair submitted the following report from the Clerk:

House of Representatives,
December 8, 1842.

Mr. Speaker—In compliance with a resolution of the House, relative to an arrangement with the Postmaster of this city, I ask leave, through you, to report—That I have had an interview with the Postmaster upon the subject of said resolution, and have received for answer, that if the Secretary of the Territory will agree to allow and pay the postage account that may be incurred by the House during the present session at the close of the session: Or, if the House will consider itself responsible for the same, in the event that the Secretary refuses, then the arrangement can be made, and not otherwise. I have also consulted the Secretary, and learn from him that he will not consent to any such arrangement; but that the account must be approved at Washington and audited by the proper department before he would be authorized to pay it. He also informed me that the account for papers, &c. which, as per resolution of the House, I am required to furnish, would be in the same situation.

Very respectfully,

B. F. WALLACE,
Clerk Ho. Reps.

Which was,

On motion of Mr. Walworth,

Referred to a select committee; and the Chair appointed Messrs. Walworth, Hepner and McMillan said committee.

The resolution of yesterday, giving to the Rev. Dr. Woods and the Rev. Mr. Bowman the privilege of preaching in the Hall, &c. being under consideration,

Mr. Walworth offered the following as a substitute for the same, which was accepted by the original mover:

Resolved, That the Speaker of the House be authorized to grant the use of this Hall to the regular pastors of this city, arternately, for the purpose of public worship on the Sabbath day.

Mr. Jay then moved to amend by adding the following: "To Ministers of all professions, whether resident here or elsewhere, at the discretion of the Speaker;" and, upon the adoption of this amendment, the yeas and nays were ordered;

Yeas 22, Nays 4.

Those who voted in the affirmative were,

Messrs. Barton,
Blair,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Jay,
Lewis,
McCulloch,
Newell,
Robertson,
Rogers,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson,
Speaker.

Those who voted in the negative were,

Messrs. Andros,
Berry,
Bunker,
McMillan.

So the amendment was agreed to.

Mr. Barton moved

A reconsideration of the vote; upon which motion the yeas and nays were ordered;

Yeas 23, Nays 3.

Those who voted in the affirmative were,

Messrs. Barton,
Blair,
Brierly,
Briggs,
Bunker,
Culbertson,

Messrs. Felkner,
Goddard,
Hackleman,
Jay,
Lewis,
McCulloch,
McMillan,
Newell,
Robertson,
Rogers,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson,
Speaker.

Those who voted in the negative were,
Messrs. Andros,
Berry,
Hepner.

So the vote was reconsidered.

Mr. Andros then moved to postpone the whole subject indefinitely; upon which question the yeas and nays were ordered;

Yeas 5, Nays 21.

Those who voted in the affirmative were,
Messrs. Andros,
Hepner,
McMillan,
Robertson,
Thornton.

Those who voted in the negative were,
Messrs. Barton,
Berry,
Blair,
Brierly,
Bunker,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Jay,
Lewis,
McCulloch,
Newell,
Rogers,
Sales,
Steele,
Swearingen,
Walworth,
Wilson,
Speaker.

So the motion was lost.

The question upon the amendment to the substitute was then put and agreed to.

Mr. Hepner moved

To lay the resolution, as amended, upon the table; upon which question the yeas and nays were ordered;

Yeas 5, Nays 21.

Those who voted in the affirmative were,
Messrs. Andros,
Bunker,
Hepner,
McMillan,
Robertson.

Those who voted in the negative were,
Messrs. Barton,
Berry,
Blair,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Jay,
Lewis,
McCulloch,
Newell,
Rogers,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson,
Speaker.

So the motion was lost.

Mr. Andros then moved

To refer the resolution to a committee to consist of one from each electoral district; upon which question the yeas and nays were ordered;

Yeas 3, Nays 23.

Those who voted in the affirmative were,

Messrs. Andros,
Hepner,
McMillan.

Those who voted in the negative were,

Messrs. Barton,
Berry,
Blair,
Brierly,
Briggs,
Bunker,
Culbertson,
Felkner,
Goddard,
Hackleman,
Jay,
Lewis,
McCulloch,
Newell,
Robertson,
Rogers,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson,
Speaker.

So the motion was lost.

The question was then taken upon the adoption of the resolution as amended; upon which the yeas and nays were ordered;

Yeas 22, Nays 4.

Those who voted in the affirmative were,

Messrs. Barton,
Berry,
Blair,
Brierly,
Briggs,
Bunker,
Culbertson,
Felkner,
Goddard,
Hackleman,
Jay,
Lewis,
McCulloch,
Newell,
Rogers,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson,
Speaker.

Those who voted in the negative were,

Messrs. Andros,
McMillan,
Robertson,
Hepner.

So the resolution was adopted.

The following message was received from the Council, by Mr. Fales, Secretary:

Mr. Speaker—The Council have appointed Messrs. Springer, Cook and Gehon a committee on the part of the Council, to act with a similar committee to be appointed by the House, to prepare the necessary Rules for the government of the intercourse between the two Houses.

On motion of Mr. Rogers,

The House adjourned until to morrow morning at 10 o'clock.

FRIDAY MORNING, DECEMBER 9, 1842.

The House met pursuant to adjournment.

The Chair announced the following as the standing committees of the House.

On the Judiciary.—Messrs. **Rogers**, **Lewis**, **Andros**, **McMillan** and **Hepner**.
On Public Instruction.—Messrs. **Robertson**, **Goddard**, **Jay**, **Walworth** and **Newell**.
On Internal Improvements.—Messrs. **Brierey**, **Blair**, **Wilson**, **Bunker** and **Thornton**.
On Claims.—Messrs. **Andros**, **Felkner**, **Hackleman**, **Sales** and **Steele**.
On Enrolled Bills.—Messrs. **Lewis** and **Briggs**.
On Engrossed Bills.—Messrs. **Walworth** and **Barton**.
On Expenditures.—Messrs. **Hepner**, **Berry**, **McCulloch**, **Lewis**, and **McMillan**.
On Territorial Affairs.—Messrs. **Briggs**, **Blair**, **Culbertson**, **Jay** and **Swearingen**.
On Corporations.—Messrs. **Berry**, **Sales**, **Wilson**, **Bunker** and **Barton**.
On Roads and Highways.—Messrs. **McCulloch**, **Culbertson**, **Hackleman**, **Walworth** and **Thornton**.
On Townships and County Boundaries.—Messrs. **Wilson**, **Newell**, **Robertson**, **Culbertson** and **Steele**.
On Public Buildings.—Messrs. **Felkner**, **Jay**, **Goddard**, **Brierly** and **Sales**.
On Military Affairs.—Messrs. **McMillan**, **Newell**, **Hepner**, **Berry** and **Rogers**.
On Agriculture.—Messrs. **Goddard**, **Swearingen**, **Thornton**, **Blair** and **Wilson**.

Mr. Felkner presented the petition of sundry citizens of Johnson county, asking for an alteration of the Territorial Road, leading from Wyoming to Iowa City; which,

On motion of Mr. Felkner,

Was referred to a select committee, and

The Chair appointed Messrs. Felkner, Bunker and Thornton said committee.

Mr. Rogers presented the petition of Leroy Jackson and others, asking that a Territorial road be located from Marion in Linn county, to Dubuque; which,

On motion of Mr. Rogers,

Was referred to the committee on roads and highways.

Mr. Jay presented the petition of sundry citizens of Henry county, asking the permanent location of that part of the Territorial road leading from Mount Pleasant to Trenton, that runs through sections 24 and 13, in said county; which,

On motion of Mr. Jay,

Was referred to the committee on roads and highways.

Mr. Robertson offered the following:

Resolved, That a committee of three be appointed to act in conjunction with a similar committee appointed on the part of the Council, to draft rules to govern the intercourse between the two Houses during the present session; and,

The Chair appointed Messrs. Robertson, Hepner and Lewis, said committee.

Mr. Walworth of the committee, to whom was referred the communication of the Chief Clerk, relative to an arrangement with the Post Master, &c., asked leave to sit now;

Which was granted.

Mr. Lewis asked leave to introduce a bill,

Upon which question the yeas and nays were ordered, and were as follows:

Yeas 20, Nays 4.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Berry,
Blair,
Briggs,
Bunker,
Felkner,
Goddard,
Hackleman,
Jay,
Lewis,
Newell,
Robertson,
Rogers,
Sales,
Steele,
Swearingen,
Thornton,
Wilson,
Speaker.

Those who voted in the negative were,

Messrs. Brierly,
Culbertson,
Hepner,
McCulloch.

So leave was granted; and,

No. 2, H. R. file, A bill to repeal an act, entitled an act, relative to officers of the Legislative Assembly;

Was read a first time.

Mr. Walworth from the select committee, to whom was referred the communication of the Chief Clerk of this House, relative to an arrangement with the Post Master of this city, begs leave to report:

That they have had the same under consideration, and have waited on the Post Master, who informed your committee that an arrangement can be made; provided the House will be responsible for the payment of the postage. Your committee would, therefore, recommend the passage of the following joint resolution;

Resolved, by the Council and House of Representatives of the Territory of Iowa, That the said Territory be held responsible for the payment by the General Government, of all postage accruing on all communications received or sent through the Post Office in this city, on Legislative business by members of the Council and House of Representatives;

Which report was,
On motion of Mr. Lewis,
Laid upon the table subject to the order of the House.

The Speaker submitted the following communication from the Secretary of the Territory:

SECRETARY'S OFFICE,
Iowa City, Dec. 8, 1842.

In reply to a resolution requesting the Secretary of the Territory to furnish each member of the House of Representatives with a copy of the statutes, he would respectfully represent, that a joint resolution to provide for the sale of the surplus copies of the statutes of the Territory, approved January 3rd, 1842, authorized and required the Secretary to distribute all the surplus copies of the acts of the several sessions in equal portions, to the boards of county commissioners in the Territory, after retaining one hundred and fifty copies of each in the Territorial library.

In obedience to the instructions contained in the resolution referred to, the Secretary proceeded to the examination of the various statutes left in this department, by his predecessor, and found that of the laws of the sessions of 1840–'41, there did not remain on hand a half dozen, and but few of other sessions, with the exception of the bound volume, of which there is a very large over proportion.—This deficiency in the supply of some of the pamphlets on hand, and others almost entirely out of print, defeated the object of the joint resolution before alluded to, and it now denies to the Secretary the pleasure of complying with the requisition for furnishing each member of the House with a copy of the statutes conformably to the resolution passed this day.

O. H. W. STULL,
Secretary of Iowa Territory.

Hon. SPEAKER of the House.

On motion of Mr. Robertson,

The House resolved itself into committee of the whole upon the Governor's message, Mr. Robertson in the Chair, after some time spent therein, the committee rose and by their Chairman reported, that they had had the same under consideration and that they had made the necessary references of the same to the appropriate standing committees, and ask to be discharged from a further consideration of the subject;

Which report was concurred in.

Mr. Newell gave notice that he would, on some future day, present a bill providing for a general valuation or stay law.

Mr. Hackleman gave notice that he would, on some future day, present a bill to amend the law now in force in this Territory, respecting assessing and collecting county revenue for County and Territorial purposes.

Mr. Rogers moved

That the House adjourn until Monday next at 10 o'clock.

Mr. Robertson moved to amend, by moving to adjourn,

Which was not agreed to.

And the question upon the original motion was then put and agreed to.

So the House adjourned until Monday morning next at 10 o'clock.

MONDAY MORNING, DECEMBER 12, 1842.

The House met pursuant to adjournment.

Mr. Robertson presented the petition of Richard H. Dawson and others, asking the Legislative Assembly to authorize Alexander Brownlee and others, lawfully to construct a race through township eighty (80,) and ranges two (2) and three (3) east of the fifth principal meridian, as may be necessary to obtain sufficient mill power to answer their purposes; which,

On motion of Mr. Robertson,

Was referred to a select committee; and

The Chair appointed Messrs. Robertson, Berry and Goddard said committee.

Mr. Lewis presented the petition of sundry citizens of Van Buren county, asking the alteration of a road at its termination, as laid out by the County Commissioners of said county; and that said board of County Commissioners be authorized to establish said road in accordance with the prayer of said petitioners; which,

On motion of Mr. Lewis,

Was referred to a select committee, consisting of the Van Buren delegation.

Mr. McCulloch presented the petition of sundry citizens of Lee county, asking the location of a Territorial road in said county, from Smith's mills to Fort Madison; which,

On motion of Mr. Brierly,

Was referred to the committee on roads and highways.

Mr. Jay offered the following preamble and joint resolution, which was read a first time and ordered to lie on the table one day:

Whereas, experience has made it self-evident that the clime and soil of Iowa is equal to any in the United States for wool growing, and that it is the duty of all legislative bodies to give encouragement to home industry and domestic manufactures;

Therefore—

Be it resolved, by the Council and House of Representatives, That the members of the next annual session of the Legislature of Iowa meet and appear clad in Iowa manufactures.

Mr. Walworth offered the following preamble and joint resolution, which was read a first time and ordered to lie on the table one day:

Whereas, the necessary and proper business of Territorial legislation involves none of the principles or policy of national government entertained by the two political parties of this Union; and whereas, we regard the agitation of national politics in this assembly as calculated to retard the progress of useful legislation and to engender a spirit of jealousy and distrust between members differing in political sentiments, resulting in favoritism in the distribution of the patronage of this Legislative Assembly, and consequently in an extravagant and unnecessary expenditure of the public money;

Therefore—

Be it resolved, by the Council and House of Representatives of the Territory of Iowa, That we deem it expedient, the better to allay party asperities and promote harmony and expedition in our legislative action, as well as an economical and judicious expenditure of money, to divide the printing and patronage of this Legislature, as nearly as may be, between the presses of the two political parties of this Territory; and, for this purpose, that a committee of three be appointed on the part of the House, to act in conjunction with a similar committee on the part of the Council, to wait on the proprietors of the two political presses of this city, and receive proposals for doing such printing as we may hereafter deem necessary, and report to this House.

On motion of Mr. Wilson,

Resolved, That the committee on internal improvements enquire into the expediency of memorializing Congress for an appropriation to improve the Rapids of the Mississippi river, and report to this House by memorial or otherwise.

Mr. Andros, from the committee on Rules, reported, that they had had the same under consideration, and beg leave to report the Rules of the last session, with the following amendments and additions, for adoption, viz:

Rule 2d. Strike out "on which appeal no member shall speak but once, unless by leave of the House."

Rule 5th. Strike out.

Rule 6th. Strike out after the word "Speaker," "shall correct and examine the Journal before it is read."

Rule 11th. Article 2d. After "resolutions" add "notices."

Rule 13th. After the words "sit down" strike out "unless" and insert "but may be."

Rule 17th. After the words "question was put" add "unless the Speaker shall again state the question."

Rule 22d. After the word "amendment" add "by leave of the House."

Rule 25th. After the words "in order" add "except when a member is speaking or the House voting."

Rule 33d. Strike out.

Rule 36th. Strike out, and substitute the following: "Any five members, if the Speaker be in the Chair, shall be authorized to compel the attendance of absent members."

Rule 41st. Strike out the word "fourteen" and insert "two thirds."

Rule 42d. After the words "10 o'clock A. M." add "2 o'clock P. M. unless otherwise ordered by the House."

Rule 47th. After the words "of the whole" strike out the conjunction "and."

Rule 50th. After the words "no amendment" add "except."

Rule 53d. After the word "Clerk" add "or chairman."

Rule 60th. Strike out, and substitute the following: "No bills, memorials or joint resolutions shall be printed unless ordered by the House."

Rule 61st. "Any member moving to refer any matter to a standing or select committee, may be a member of such committee, while such subject is under the consideration of said committee."

Which report was,

On motion of Mr. Robertson,

Referred to the committee of the whole House, Mr. Wilson in the Chair.

After some time spent therein the committee rose, and, through their chairman, reported the same back to the House with sundry amendments, which were concurred in.

Mr. Walworth moved

To amend by adding the following as an additional Rule:

Rule 62d. When any matter is referred to a standing committee, by motion of any member, it shall be the duty of the chairman of such committee to notify such members of their time of sitting upon such matter so referred; and said members shall be permitted to confer with the committee during their consideration of such matter;

Which was agreed to, and the report as amended was concurred in.

Mr. Felkner presented the Annual Report of the Territorial Agent, which follows:

REPORT OF THE TERRITORIAL AGENT.

Office of Territorial Agent,
Iowa City, December 1, 1842.

To the Honorable the Council
And House of Representatives:

In obedience to law, I herewith submit my Annual Report as Territorial Agent.

On entering upon the discharge of my duties, I found the law of the last session, relative to the sale of Iowa City Lots, approved February 17, 1842, undefined, to some extent, in its details, leaving much to the discretion of the Agent. In the exercise of that discretion, which, in my judgment, the law authorized and the public interest required, I suspended the sales at private entry, and proclaimed a public sale to be held on the third day of May.

Individuals, entertaining a different view of the law, demanded the right of private entry at the reduced minimum, none of whom were mechanics or laborers, and all, except in one or two cases, desiring to pay in Scrip of the issue of 1841. These applications were indiscriminately rejected at this office, and the entire plat, as it came into my hands, offered at public sale. To have done otherwise would have rendered the law a nullity, and thereby defeated the object contemplated by the Legislature in its passage.

At the public sale eighty-five lots were sold, the minimum price of which was $10,604.

Advance upon the minimum price $2,003.

Amount of sales at public sale, - - -	$12,607 00
Do. at private entry, - - -	10,264 00
Total amount of sales, - - -	$22,871 00

Amount of Notes received of Jesse Williams, late Territorial Agent, - - - - - -	$13,013 87
Amount of sales of 1842, - - - -	22,871 00
	$35,884 87

Notes of 1839, '40 and '41 remaining in this office,	$2,384 36
Notes remaining in the hands of Springer and Carleton,	3,131 69
Notes in the hands of F. H. Lee, including the docket of John Hawkins, - - - - -	563 74
Notes of the sales of 1842 remaining in this office,	6,362 87
Disbursements of this office for the year 1842, ending 1st instant, - - - - - -	23,768 02
Scrip of the issue of 1841, - - - -	2,087 04
Notes of the Miners' Bank of Dubuque and Shawneetown,	33 00
	$38,330 72

Disbursements, &c. of 1842, - - -		38,330 72
Sales of 1842, &c. - - - -		35,884 87
Excess of disbursements over receipts, - -		2,445 85
This excess consists of outstanding Scrip of the issue of 1842, - - -	$1,400 00	
Debts contracted by this office, - -	1,045 85	$2,445 85
The above estimate does not cover the entire liabilities of this office for the current year. The Agent's salary, with other incidental expenses, may be estimated at		1,000 00
Total indebtedness for the present year, including outstanding Scrip of 1842, - - -		$3,445 85

Early in March last the Superintendent called upon me to consult upon the practicability of commencing operations on the Capitol. At that time I was much at a loss to know what course to advise or adopt. To commence a work of such magnitude with the limited and doubtful means within my control, was a hazardous experiment; delay was equally hazardous to success, while the situation of the building, and the importance of placing it under roof to prevent delapidation and decay, appeared to be paramount to every minor consideration. I therefore resolved to make a united effort with the Superintendent, and to place at his disposal all the means within my control, which could be made available.

On commencing the work without funds, I was under the necessity of contracting debts (in anticipation of collections) for provisions and other incidental expenses necessary in establishing a boarding-house at the stone-quarry, situated ten miles up the Iowa river, at a point where boarding could not otherwise be had.

The laborers made their engagements for lots, and to await the public sales.

During the months of March and April a competent number of hands were employed to carry on every department of business, and, at the sales in May, they became purchasers of property.

As a medium of exchange upon the lots, to facilitate the sales and to carry on the work, I took the *delicate* responsibility of issuing Scrip, based, however, exclusively upon the unsold lots, made payable to the bearer, and receivable at this office for all sales made *after the first day of May,* thereby avoiding the responsibility of either anticipating or creating cash debts. With this Scrip I paid the hands for the months of March and April, before the commencement of the sales in May, which went into general circulation, and left it discretionary with holders whether to purchase lots or part with it to others who had purchased or who might desire to purchase.

This Scrip, although convenient and useful in the purchase and payment of lots, would not pass with the merchants for goods, neither would it be taken by the farmers for provisions. Under these embarrassing circumstances, I was compelled to adopt the plan of keeping supplies on hand through a large portion of the season, and issuing them out to suit the daily wants of those employed in the various branches of business connected with the Capitol. The keeping of daily accounts necessarily followed, and greatly increased the labors of my office—labors not anticipated, and unprovided for by law, but indispensible to the public service, under the present embarrassed condition of the public building fund.

Early in the month of June last the Superintendent made a requisition upon me for a bill of Iron for the roof of the Capitol, amounting to about five thousand pounds, together with a bill for twelve hundred lights crown glass. These constituted a heavy item, which could not be purchased short of St. Louis, where nothing but specie or its equivalent would be taken in payment. To meet this contingency, I sold Outlot No. 11 and Block No. 21 to Samuel Statler of Pennsylvania, (who was at that time in this city) for a draft payable at Pittsburg, for which I paid him a premium of twenty-five per centum. This draft ($507) constitutes more than one-half of the actual cash handled by me through the season, and without which those purchases could not, with certainty, have been made.

I regret that it has been out of my power to pay the debt due the Miners' Bank of Dubuque. The first note for $500, payable in the Missouri Bank at St. Louis, has been protested, and this office duly notified thereof. To avoid (if possible) a similar occurrence with the second note for $5,000, payable in New York, I opened a correspondence with the officers of the bank, which influenced them to withhold the note for payment or adjustment at the bank at Dubuque. This note was executed on the 28th June, 1841, payable eighteen months after date, and will be due 28|31 instant, leaving time for some arrangement to save it from being dishonored. A copy of the correspondence is herewith submitted.

Outlot No. 10 has been reserved from sale on account of having been appropriated, by the citizens of Iowa City and its vicinity, to the use of a burial ground. On the 24th day of August a written application was filed for this lot by a portion of the citizens, a copy of which is submitted for the consideration and action of the Legislature.

The law defining the duties of Territorial Agent did not appear sufficiently clear to justify me in making settlements with the late Superintendent of Public Buildings, who had acted as sole Commissioner in the sale of lots and in the erection of the Capitol, in 1839–'40, and the late Territorial Agent who was his successor in 1841.

These accounts remain unsettled. The late Commissioner claims a balance of about $600, which should be paid at the earliest convenience, if found due.

All of which is respectfully submitted.

JOHN M. COLMAN,
Territorial Agent.

CORRESPONDENCE.

Office of the Territorial Agent,
Iowa City, August 31, 1842.

To the Cashier:

Dear Sir—I have just received a letter to the address of Jesse Williams, Esq., late Territorial Agent, from the Bank of Missouri at Saint Louis, with a protest on his note, as Territorial Agent, for $500, payable to the Miners' Bank of Dubuque.

The failure to meet this payment has been unavoidable. The office came into my hands without funds, with numerous small debts outstanding from last year, without any other resources than a remnant of old debts due the office from former sales, many of which are not collectable, and all difficult to collect.

The repeal of the law authorizing the Agent to borrow money, with the passage of an act requiring the city lots to be sold for work and materials for the further prosecution and completion of the Capitol, will place it out of my power to meet any part of the debt due to your bank this season. The note for $5000, payable in New York, cannot be met at maturity; and the only mode which appears to me practicable, is to renew the debts on further time. I shall visit Dubuque in the course of three or four weeks, with a view to some arrangement in relation to the Territorial debt.

Very respectfully,
Your obedient servant,
JOHN M. COLMAN,
Territorial Agent.

Office of Territorial Agent,
September 20, 1842.

To the President and Directors
Of the Miners' Bank of Dubuque:

Gentlemen:—This will be handed you by the Hon. Francis Springer, one of the counsel for the Territory for the collection of debts, who will explain to you the situation of this office in relation to money matters. I wrote your cashier some time since upon the subject of the debts due to your bank, and informed him that it would be out of my power to meet those debts. Mr. Springer will confer with you fully upon the subject, and will be the bearer of any reply you may feel disposed to make to the letter above recited.

Very respectfully,
Your obedient servant,
JOHN M. COLMAN,
Territorial Agent.

Iowa State Library

MINERS' BANK,
Dubuque, September 23, 1842.

JNO. M. COLMAN, ESQ.,
Territorial Agent,
Iowa City:

Sir—I have received your several favors of the 1st and 20th inst., and regret exceedingly that you will not be able to meet the note due this Bank in New York city in December next.

I had, in a great measure, depended upon the prompt payment of that debt, in order to enable me to take in the small balance of circulation of our notes now out.

Mr. Springer has mention to me your wish that I should not forward the note to New York city, where it is payable; and, to meet your wishes in that matter, I will retain the note in bank.

There has been made a deposit of $50 to your credit, and any arrangement you may make for the payment, in small or large amounts, of the notes now due and becoming due, will be satisfactory.

I have the honor to be,
Respectfully, your obedient servant,
(Signed,) H. PEARSON,
Cashier.

Application to enter Outlot No. 10, for a Burial Ground.

[A COPY.]

We, the undersigned, being desirous to pay becoming respect to the remains of our friends and relatives, whose graves are situate on Outlot No. 10, in Iowa City, do hereby apply to enter the said lot, with a view to preserve, with becoming decency, the remains of those who have been buried on said lot.

August 20, 1842.
(Signed,) CHAUNCEY SWAN,
And others.

Which was read; and,

On motion of Mr. Lewis,

Was laid on the table subject to the order of the House.

The Speaker submitted the annual report of the Superintendant of Public Buildings, which follows:

ROPORT OF THE SUPERINTENDENT OF PUBLIC BUILDINGS.

OFFICE OF SUPERINTENDENT PUBLIC BUILDINGS,
Iowa City, December 1, 1842.

To the Honorable the Council
And House of Representatives:

In obedience to law, I herewith submit my Annual Report, as Superintendent of Public Buildings, at Iowa City.

On entering upon the duties of my office, I received from my predecessor, tools used in the quarry, and for the workmen on the building, also a set of blacksmith tools, some iron and some steel. Likewise the window frames and sash for the upper stories of the Capitol, a portion of the timber for the roof, which were partly framed, some oak flooring and rough boards, and other timber, on and about the building.

My first object was to consult the Territorial Agent in relation to the means within his control, for carrying on the work. I examined the old quarry, and found that the means of the office would not justify even a commencement there. I lost no time in making the necessary examinations, and succeeded in finding a fine bed of rock on the bank of the Iowa river, about ten miles northeast of the city, which presented a very promising appearance. Immediately I set hands to work, to opening the quarry, and also in preparing boats for transportation of the rock, and on the first day of April commenced stone cutting at the Capitol.

On the commencement of the masonry, the walls of the Capitol presented a very irregular appearance, varying in height about seven feet; the east front being to the top of the upper windows, while a part of the west front but a little above the lower part of the same tier of windows. The east front has been carried up from the lower part of the ante-caps, a height of eight feet, and a portion of the west front has been carried up fifteen feet. I succeeded in completing the south gable end; but owing to the low stage of the river in the fall, it was impossible to transport rock down for the north gable end, except at an increased expense, which would have been incompatible with the state of the funds in the hands of the Agent; I therefore enclosed it roughly with boards.

The whole number of cubic feet laid into the wals of the Capitol since the first of last April, are fifteen thousand, eight hundred and eighty three; of superficial feet of cut stone, four thousand, four hundred and fifty-six; and of superficial feet in moulded cut stone, or antecaps, four hundred and eight. The masonry of this part of the building has been the most expensive, it being nearly all solid, and the face of it all cut stone.

The roof is substantially framed and braced with strong iron bars and bolts at every part where it was thought necessary to add to its strength and durability. It is covered with Allegheny pine shingles, which were purchased at Cincinnati. The roofs of the porticos are formed and extended to the fronts of the building, in a situation to be joined to with convenience, when the porticos are ready for covering. The cornices are in an unfinished state. The cupola is completed to its first contraction or diminish, and temporarily covered.

Four rooms have been prepared, and every arrangement made, for the accommodation and comfort of the Legislature in the new edifice, that has been in my power to make. And I mainly attribute the consummation of the favorable result to the untiring energy and skillful management of the Territorial Agent in the financial department.

The law defining the duties of Superintendent of Public Buildings, requiring him to keep an account of expenditures, has, to some extent, been superseded by the Act of last session, which requires the Territorial Agent to sell lots for work and materials on the Capitol. I therefore refer your honorable body to the report of the Territorial Agent for an exhibit of the expenditures on the Capitol for the present year.

All of which is most respectfully submitted.

W. B. SNYDER,
Sup. Pub. Buildings, Iowa City.

Which was read, and,

On motion of Mr. Newell,

Laid upon the table, subject to the order of the House.

No. 2, H. R. file, A bill to repeal an act, entitled an act, relative to officers of the Legislative Assembly;

Was taken up in its order, read a second time, and,

On motion of Mr. Lewis,

Committed to a committee of the whole House, and made the order of the day for Thursday next.

No. 3, H. R. file, A joint resolution relative to an arrangement with the Postmaster of this city;

Was taken up, read, and,

On motion of Mr. Walworth,

Indefinitely postponed.

Mr. Rogers gave notice that he would, on some future day, introduce a bill concerning marks and brands for horses, cattle, sheep and hogs.

Mr. Hackleman gave notice that on to-morrow, or some future day, he would introduce a bill to legalize the acts of the County Commissioners of Des Moines county in certain cases.

Also,

A bill to amend the act relative to Justices', Constables' and Jurors' fees, passed last session.

On motion of Mr. McMillan,

The resolution relative to the revision of the laws was taken from the table and committed to a committee of the whole House, and made the order of the day for Wednesday next.

On motion of Mr. Rogers,

The House adjourned until 2 o'clock P. M.

TWO O'CLOCK, P. M.

Mr. Robertson, from the committee appointed on the part of the

House, to confer with a similar committee on the part of the Council, to prepare Joint Rules to govern the intercourse between the two Houses,

Reported—

That the committees had conferred together, and recommended for adoption the Rules which governed the intercourse between the two Houses at their last session, and ask to be discharged from the further consideration of the subject;

Which,

On motion of Mr. Walworth,

Was adopted.

Mr. Jay moved

That the Chief Clerk be authorized to have fifty copies of the Rules printed;

Which was agreed to.

Mr. Felkner offered the following:

Resolved, That a standing committee on memorials, to consist of one from each electoral district, be appointed;

Which was adopted.

The Chair appointed Messrs. Felkner, Berry, Briggs, Culbertson, Hackleman, Jay, Newell, Robertson, Swearingen and Thornton said committee.

Mr. Rogers moved

To reconsider the vote adopting the Rules for the government of the House;

Which was lost.

Mr. Hackleman presented the petition of Mrs. Bethany Shearman, praying to be divorced from her husband, James Shearman.

Mr. Hepner presented the petition of George C. Collins, praying to be divorced from his wife, Anna Collins;

Which petitions,

On motion of Mr. Hepner,

Were severally referred to a select committee, to consist of one from each electoral district; and

The Chair appointed Messrs. Hepner, Andros, Bunker, Culbertson, Goddard, Lewis, McMillan, Newell, Robertson, Steele, Thornton and Walworth said committee.

On motion of Mr. Walworth,

The House adjourned.

TUESDAY MORNING, DECEMBER 13, 1842.

The House met pursuant to adjournment.

Mr. McCulloch presented the petition of sundry citizens of Lee county, asking the relocation of the county seat of Lee county; which,

On motion of Mr. Brierly,

Was referred to a select committee, consisting of the Lee county Delegation.

On motion of Mr. Robertson,

Resolved, That the committee on Territorial Affairs be instructed to enquire into the expediency and propriety of memorializing Congress upon the subject of running and making at as early a day as practicable the Western boundary line of the late purchase, obtained by treaty with the Sac and Fox Indians.

On motion of Mr. Felkner,

Resolved, That the committee on Memorials be instructed to enquire into the expediency of memorializing Congress to establish another Land District in this Territory, the office of which to be located at Iowa City.

On motion of Mr. Swearingen,

Resolved, That the committee on Military Affairs, be instructed to enquire into the expediency of so amending the militia law, as to define the day by law, that the militia shall train by company, also by regiment, and that the notification now required by law, be dispensed with.

Mr. Hepner from the select committee to whom was referred the petition of Wm. Ross and others, praying that the Legislative Assembly grant Geo. C. Collins a divorce, and the petition of Bethany Shearman, praying a divorce from her husband, James Shearman:

Report, That it is not good policy on the part of the Legislative Assembly to grant divorces, and that the petitioners have leave to withdraw their petitions, and that the committee be discharged from the further consideration of the subject.

Mr. Rogers moved

To lay the report on the table,

On which question the yeas and nays were ordered;

Yeas 10, Nays 15.

Those who voted in the affirmative were,

Messrs. Briggs,
Felkner,
Hackleman,
Jay,
Lewis,
Newell,
Rogers,
Sales,
Steele,
Thornton,

Those who voted in the negative were,

Messrs. Andros,
Berry,
Blair,
Brierly,
Bunker,
Culbertson,
Goddard,
Hepner,
McCulloch,
McMillan,
Robertson,
Swearingen,
Walworth,
Wilson.
Speaker.

So the motion to lay on the table was lost.

Mr. Lewis moved to postpone the further consideration of the subject until Friday;

Which was agreed to.

A message from the Council by their Secretary, Mr. Fales:

Mr. Speaker—I am directed to inform the House that the Council have adopted the joint rules reported by the committee, appointed to draft rules, to regulate the intercourse between the two Houses.

Mr. Robertson from the select committee, to whom was referred the petition of A. S. Brownlee and others, have had the same under consideration, and instructed me to report the following bill:

No. 6, H. R. file, A bill granting A. Scott Brownlee and others the right to construct a mill race;

Which was read a first time.

On motion of Mr. Walworth,

No. 5, H. R. file, A joint resolution providing for the appointment of a joint committee, to wait upon the proprietors of the two presses in this city, to receive proposals for doing such printing as may be deemed necessary, &c. was taken up and read a second time.

Mr. Walworth then moved

To suspend the 42d rule, and that the joint resolution be read a third time now;

Which was agreed to; and,

On the question, shall the the resolution pass, the yeas and nays were ordered;

Yeas 13, Nays 12.

Those who voted in the affirmative were,

Messrs. Blair,
Bunker,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Berry,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
McCulloch,
Rogers,
Speaker.

So the resolution was passed.

Mr. Rogers moved

To strike out the preamble, on which question, the yeas and nays were ordered;

Yeas 12, Nays 13.

Those who voted in the affirmative were,

Messrs. Andros,
Berry,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
McCulloch,
Rogers,
Speaker.

Those who voted in the negative were,

Messrs. Blair,
Bunker,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

So the motion was lost.

Mr. Walworth then moved the adoption of the Preamble;

Upon which question the yeas and nays were ordered;

Yeas 13, Nays 12.

Those who voted in the affirmative were,

Messrs. Blair,
Bunker,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Berry,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
McCulloch,
Rogers,
Speaker.

So the Preamble was adopted.

The Chair appointed Messrs. Walworth, Hepner and Rogers the committee in compliance with the foregoing resolution.

Messrs. Hepner and Rogers asked to be excused from serving upon said committee;

Which was granted; and,

The Chair appointed Messrs. Lewis and McMillan in their stead.

On motion of Mr. Rogers,
The House adjourned until to morrow morning at 10 o'clock.

WEDNESDAY MORNING, DECEMBER 14, 1842.

The House met pursuant to adjournment.

Mr. Felkner presented the petition of sundry citizens of Johnson county, asking the relocation of the Territorial road leading from Wyoming to Iowa City; which,
On motion of Mr. Felkner,
Was referred to the same select committee to whom was referred the same subject on a previous day.

On motion of Mr. McMillan,
Resolved, That the Chief Clerk be authorized to procure such incidental printing as may be necessary for this House, until otherwise ordered.

On motion of Mr. Culbertson,
Resolved, That the committee on roads and highways be instructed to inquire into the expediency of passing a law to give the several County Commissioners in each county in this Territory the same power and control over Territorial roads running through their respective counties which they now have over county roads, and that they report to this House by bill or otherwise.

Mr. Berry gave notice that he would, on to-morrow or some subsequent day, introduce a bill to legalize the acts of the Board of County Commissioners of Jackson county in certain cases, and to make valid the acts of certain road commissioners, &c.

Mr. Lewis gave notice that he would, on to-morrow or some subsequent day, ask leave to introduce a bill to legalize the acts of Cyrus Gibson, a justice of the peace of Van Buren county.

Mr. Rogers presented the account of Wilson & Keesecker for printing the Journals of the House of Representatives of the last session; which,
On motion of Mr. Rogers,
Was referred to the committee on claims.

Mr. Hackleman, upon previous notice and leave being granted, introduced

No. 7, H. R. file, A bill to legalize the acts of the County Commissioners of Des Moines county in certain cases;

Which was read the first time.

The resolution relative to the incidental printing of the House was taken from the table, read a second time, and,

On motion of Mr. Rogers,

Laid upon the table.

No. 1, H. R. file, A joint resolution providing for a revision of the statutes, being the order of the day,

The House resolved itself into committee of the whole, Mr. Robertson in the chair, and, after some time spent therein, the committee rose, and, by their chairman, reported the same back to the House with one amendment, which was concurred in.

Mr. Walworth then moved

Further to amend by striking out all after the enacting clause and inserting the following:

That a committee of three be appointed on the part of the House, to confer with a similar committee to be appointed on the part of the Council, to take into consideration the expediency of revising the laws of this Territory, and report to this House; and

The resolution as amended was adopted, and

The Chair appointed Messrs. Walworth, McMillan and Rogers said committee.

No. 4, H. R. file, A joint resolution relative to Iowa Manufactures, was read a second time, and,

On motion of Mr. Walworth,

The House resolved itself into committee of the whole, Mr. McMillan in the Chair; and,

After some time spent therein, the committee rose, and, by their chairman, reported the same back to the House with one amendment, which was concurred in.

Mr. Walworth moved

The suspension of the 42d Rule, and that the resolution be read a third time now;

Which was disagreed to.

Mr. Sales offered the following as a substitute:

That it is the duty of this Legislature to encourage and foster domestic manufactures;

Which was lost.

Mr. Felkner moved

The indefinite postponement of the subject, on which motion the yeas and nays were ordered;

Yeas 7, Nays 19.

Those who voted in the affirmative were,

Messrs. Blair,	Hepner,	Speaker.
Felkner,	Rogers,	
Hackleman,	Sales,	

Those who voted in the negative were,

Messrs. Andros,
Barton,
Berry,
Brierly,
Briggs,
Bunker,
Culbertson,
Goddard,
Jay,
Lewis,
McCulloch,
McMillan,
Newell,
Robertson,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

So the motion was lost.

Mr. Wilson then moved

That the preamble and resolution be engrossed and read a third time to-morrow;

Which was agreed to.

The following message was received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have passed

No. 1, C. file, An act to relocate a part of the Territorial road leading from West Point in Lee county to Salem in Henry county;

In which the concurrence of the House is requested.

No. 6, H. R. file, A bill granting to A. Scott Brownlee and others the right to construct a mill race;

Was read a second time, when

Mr. Robertson moved

That the bill be laid upon the table, and that forty copies be printed.

Mr. Hepner moved

A division of the question, which was had; and the question, Shall the bill lie on the table? was put and agreed to.

The question then recurred upon the printing of forty copies of said bill, which was lost.

Mr. Rogers moved

To adjourn until 10 o'clock to-morrow morning; which was lost.

Mr. Felkner then moved

To adjourn; which was agreed.

TWO O'CLOCK, P. M.

No. 1, C. file, An act to relocate a part of the Territorial road leading from West Point in Lee county to Salem in Henry county;

Was read a first time, when,

On motion of Mr. Wilson,

The 42d Rule was suspended, the bill read a second and third time and passed, and title agreed to.

On motion of Mr. Robertson,

No. 6, H. R. file, A bill granting to A. Scott Brownlee and others the right to construct a mill race;

Was taken from the table, which was,

On motion of Mr. Robertson,

Committed to the committee of the whole, and made the order of the day for Friday next.

On motion of Mr. McMillan,

The report of the Superintendent of Public Buildings was taken from the table and referred to the committee on public buildings; and,

On motion of Mr. Felkner,

Ordered, That forty copies of the same be printed.

On motion of Mr. McMillan,

The report of the Territorial Agent was taken from the table and referred to the committee on public buildings.

Mr. Hepner moved

To have fifty copies of the report printed.

Mr. McMillan moved

To amend by striking out "fifty" and inserting "three hundred;"

Which was lost.

The question then recurring upon the original motion,

It was agreed to.

Mr. Sales presented the petition of sundry journeymen printers of Iowa City, remonstrating against any reduction in the price of printing.

Mr. Rogers moved

To refer said petition to the committee on claims;

Which was lost.

Mr. Lewis moved

To lay the petition on the table;

Which was agreed to; when,

On motion of Mr. McMillan,

The House adjourned.

THURSDAY MORNING, DECEMBER 15, 1842.

The House met pursuant to adjournment.

Mr. Rogers presented the petition of sundry citizens of Johnson county, asking that the Scrip issued by the Territorial Agents, during the years of 1841, '42, be made receivable in payment for all debts now due, &c., to said Territory;

Which was,
On motion of Mr. Rogers,
Referred to the committee on Public Buildings.

Mr. Walworth from the committee on engrossed bills, reported that they had examined

No. 4, H. R. file, A joint resolution, relative to Iowa Manufactures; and found the same correctly engrossed.

Mr. Rogers gave notice, that he would on some future day introduce a bill to amend an act, entitled an "Act subjecting real and personal estate to execution," so as to increase the exemption of sheep and household furniture from sale under execution.

Mr. Hepner gave notice that he would on to morrow or some future day, ask leave to introduce a bill to amend an act entitled an act, relating to the office of Recorder of Deeds, &c.

Mr. Hepner moved a call of the House;
Which was had, and the absent members sent for, who appearing in their seats,
On motion of Mr. Lewis,
The further call of the House was dispensed with.

Mr. Andros, from the committee on claims, to whom was referred the following account of Messrs. Wilson & Keesecker, for printing the Journals of the House of Representatives for the session of 1841, '42, have had the same under consideration and begs leave to report.

The following is the account:

"TERRITORY OF IOWA, Dr.

To WILSON & KEESECKER.

For printing the Journals of the House of Representatives for the session of 1841, '42, containing 310 pages, each page containing 1484 ems, at $2 50 per 1000 ems, including in the above, press work, binding, stitching, paper, &c., $1150 00"

On an examination of the above account, having analyzed the same, have come to the unanimous conclusion to reduce the above account, as follows:

For composition, at $1 50 per thousand ems,	$690 00
For press work, at $1 50 per token,	93 00
For paper, at $5 00 pe rream,	50 00
For stitching and binding,	40 00
	$873 00

And the above conclusion has been arrived at, not so much from a sense of justice of what is due the claimants, as from what they believe to be, the temper of this House, and the general disposition for reform and retrenchment in Legislative expenditures. The committee partaking of this spirit of economy and reform, and believing in its necessity have recommended the aforesaid reduction.

No rates for the printing of Journals of the House of Representatives having been fixed by Legislative enactments, Messrs. Wilson & Keesecker had reasonable grounds for expecting that something near the former prices would be paid.

The amount above recommended is between three and four hundred dollars less, than has usually been paid by this Territory for the execution of the same quantity of similar work; and the committee are of the opinion that the prices fixed upon is reasonable and is as low as the work can be done with a just regard to a fair compensation for services rendered and materials furnished.

The committee whilst investigating this matter have endeavored to keep on safe grounds and have therefore intended to shun both Scylla and Charybdis, believing that parsimony would be equally reprehensible with a lavish expenditure of the public funds.

Therefore,

Resolved, That Messrs. Wilson & Keesecker be allowed the sum of $873, for printing the Journals of the House of Representatives, for the session of 1841, '42.

Which,

On motion of Mr. Walworth,

Was laid upon the table subject to the order of the House.

No. 2 H. R. file, A bill to repeal an act entitled an act relative to officers of the Legislative Assembly, being the order of the day, the House resolved itself into committee of the whole, Mr. Brierly in the chair; and,

After some spent therein, the committee rose and by their chairman reported the same back to the House with one amendment;

When,

On motion of Mr. Walworth,

The same was laid upon the table subject to the order of the House.

No. 7, H. R. file, A bill to legalize the act of the County Commissioners of Des Moines county, in certain cases;

Was read a second time; and,

On motion of Mr. Robertson,

Ordered to be engrossed and read a third time to morrow.

No. 4, H. R. file, A joint resolution relative to Iowa Manufactures;

Was read a third time and passed.

Mr. Hackleman then moved to amend the preamble by inserting the following as a substitute:

"Whereas, owing to the high duties on imports, the effect of which is to increase the price of the domestic as well as the imported article in proportion to the increase of the duty—

And whereas, the consumer of the articles protected pays the increase of the price, thereby increasing the wealth of the eastern capitalists at the expense of the western farmer; and, whereas, Iowa is less provided for in the way of factories, and consequently more oppressed, it is therefore, the interest of the citizens to live as much within their own means as possible, and to purchase as little wearing apparel other than that manufactured in our own Territory as the citizens thereof can avoid.

Therefore, be it resolved, &c.

On which amendment the yeas and nays were ordered;

Yeas 13, Nays 13.

Those who voted in the affirmative were,

Messrs. Andros,
Berry,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
McCulloch,
Rogers,
Swearingen,
Speaker.

Those who voted in the negative were,

Messrs. Barton,
Blair,
Bunker,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Thornton,
Walworth,
Wilson.

So the amendment was not adopted.

The question on the adoption of the original preamble was then taken by yeas and nays;

Yeas 19, Nays 7.

Those who voted in the affirmative were,

Messrs. Barton,
Berry,
Brierly,
Briggs,
Bunker,
Culbertson,
Goddard,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Rogers,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Blair,
Felkner,
Hackleman,
Hepner,
McCulloch,
Speaker.

So the preamble was passed.

The following message was received from the Council by Mr. Fales their Secretary:

The Council have indefinitely posponed

No. 5, H. R. file, A joint resolution providing for the appointment of a joint committe to wait on the proprietors of the two political preses of this city, to receive proposals for doing such printing as may be deemed necessary.

On motion of Mr. Walworth,

The resolution providing that the "incidental printing of this House be done by the publishers of the Iowa Capitol Reporter," was taken from the table.

Mr. Walworth then moved

That the words "Iowa Capitol Reporter" be stricken out, and "Iowa Standard" inserted, and also to add the following words: "until otherwise ordered by the House;"

Which amendments were agreed to, and the resolution as amended was adopted.

Mr. Berry, on previous notice and leave granted, introduced

No. 8, H. R. file, A bill to legalize the acts of the Board of County Commissioners of Jackson county, in certain cases, and to make valid the acts of certain road commissioners;

Which was read a first time.

On motion of Mr. Lewis,

The House adjourned until to-morrow morning at 10 o'clock.

FRIDAY MORNING, DECEMBER 16, 1842.

The House met pursuant to adjournment.

Message from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—The Council have passed

No. 4, C. file, A memorial to the President of the United States, asking a postponement of the Land Sales in this Territory;

Also,

No. 3, C. file, A memorial to Congress, asking for a survey of the Indian boundary line;

In all of which the concurrence of the House is requested.

Mr. Felkner presented the petition of Henry Hart, asking a divorce from his wife, Ann Hart.

Mr. Felkner moved
To refer the petition to a select committee; which was lost.
Mr. Hepner moved
To lay the petition on the table; agreed to.

Mr. Bunker presented the petition of Ben Piper, asking a divorce from his wife, Lucretia Piper.

Mr. Jay moved
To lay the petition on the table; agreed to.

Mr. Walworth offered the following:
No. 9, H. R. file, A joint resolution for the appointment of a joint committee to establish the prices to be paid for public printing;
Which was read a first time.

Mr. Walworth moved
A suspension of the 42d rule, and that the resolution be read a second and third time now;
Which was disagreed to.

Mr. Walworth, from the committee on engrossed bills, reported
No. 7, H. R. file, A bill to legalize the acts of the County Commissioners of Des Moines county in certain cases, as correctly engrossed.

Mr. Hepner gave notice that he would, on to-morrow or some subsequent day, ask leave to introduce a bill to amend an act entitled an act to provide for the appointment of justices of the peace, to prescribe their duties and powers, and to regulate their proceedings.

Mr. McCulloch, from the select committee to whom was referred the petition of sundry citizens of Lee county, asking a relocation of the county seat of said county, report
No. 10, H. R. file, A bill to relocate the county seat of Lee county;
Which was read a first time.

No. 8, H. R. file, A bill to legalize the acts of the Board of County Commissioners of Jackson county, in certain cases, and to make valid the acts of certain road commissioners;
Being the order of the day, was read a second time, and,
On motion of Mr. Berry,
Ordered to be engrossed and read a third time to-morrow.

No. 7, H. R. file, A bill to legalize the acts of the County Commissioners of Des Moines county in certain cases,
Being the order of the day, was read a second time, and,
On motion of Mr. Sales,
Referred to the delegation from Des Moines county.

No. 6, H. R. file, A bill granting to A. Scott Brownlee and others the right to construct a mill race, Being the order of the day, the House resolved itself into committee of the whole, Mr. Hepner in the chair; and,

After some time spent therein, the committee rose, and, by their chairman, reported the same back to the House without amendment, which was concurred in.

Mr. Walworth moved

Its reference to a select committee; agreed to.

The Chair appointed Messrs. Walworth, Goddard and Robertson said committee.

Message from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have passed

No. 2, C. file, An act to regulate the mode of petitioning the Legislative Assembly in certain cases;

Also,

No. 1, H. R. file, A joint resolution relative to a revision of the laws; and have appointed Messrs. Teas, Christie and Wallace the committee on the part of the Council.

I herewith present for your signature

An act to relocate a part of the Territorial road leading from West Point in Lee county to Salem in Henry county.

No. 3, C. file, A memorial to Congress, asking for a survey of the Indian boundary line;

Was read a first time.

No. 4, C. file, A memorial to the President of the United States, asking a postponement of the Land Sales in this Territory;

Was read a first time, and,

On motion of Mr. Felkner,

The 42d rule was suspended, and the memorial read a second and third time and passed.

No. 2, C. file, An act to regulate the mode of petitioning the Legislative Assembly in certain cases;

Was read a first time.

Mr. Hepner, on previous notice and leave granted, introduced

No. 11, H. R. file, A bill to amend an act entitled an act relating to the office of Recorder of Deeds;

Which was read a first time.

Mr. Hepner moved

To take up the report of the select committee relative to the propriety of granting divorces;

Which was agreed to; and,

On the question, Will the House concur in the report of said committee? the yeas and nays were ordered;

Yeas 18, Nays 8.

Those who voted in the affirmative were,

Messrs. Andros,
Berry,
Blair,
Brierly,
Briggs,
Bunker,
Culbertson,
Goddard,
Hepner,
Jay,
McCulloch,
McMillan,
Robertson,
Sales,
Swearingen,
Walworth,
Wilson,
Speaker.

Those who voted in the negative were,

Messrs. Barton,
Felkner,
Hackleman,
Lewis,
Newell,
Rogers,
Steele,
Thornton.

So the report was concurred in.

Mr. Hepner moved

To take up the report of the committee on claims, on the account of Wilson & Keesecker;

Which was agreed to; and,

On motion of Mr. Walworth,

The resolution attached to said report was amended by inserting after the word "resolved" the words "by the Council and House of Representatives of the Territory of Iowa;"

And the report and resolution as amended, was,

On motion of Mr. Rogers,

Referred to the committee of the whole House, and made the order of the day for Wednesday next.

On motion of Mr. Rogers,

The House adjourned until 10 o'clock to-morrow morning.

SATURDAY MORNING, DECEMBER 17, 1842.

The House met pursuant to adjournment.

Mr. Steele presented the petition of sundry citizens of Lee county, asking the passage of a valuation or stay law;

Which,

On motion of Mr. Newell,

Was referred to the committee on the Judiciary.

Mr. Barton, from the committee on engrossed bills, reported

No. 8, H. R. file, A bill to legalize the acts of the Board of County Commissioners of Jackson county in certain cases, and to make valid the acts of certain road commissioners;

As correctly engrossed.

Message from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—The Council have passed

No. 4, H. R. file, A joint resolution relative to Iowa Manufactures.

Mr. Felkner offered the following:

Resolved, That the Territorial Agent furnish this House with his reasons for partially repudiating the Scrip issued on account of the Capitol in the year 1841, '42; also to inform the House as far as he may be able to arrive at the facts, what amount of Scrip is now outstanding, and by whom it was held;

Which was adopted.

Mr. Goddard gave notice that he would, on Monday next or some future day, ask leave to introduce a bill to prevent the burning of woods and prairies.

Mr. Hepner offered the following:

Resolved, That the ladies be permitted and requested to take seats within the bar of this House at pleasure, and that the Sergeant at arms be instructed to furnish seats for their accommodation.

Which was adopted.

Mr. Newell offered the following:

Resolved, That the citizens of Iowa City have the privilege of meeting in this Hall on Monday evening next, for the purpose of holding a temperance meeting.

Upon which question the yeas and nays were ordered;

Yeas 13, Nays 12.

Those who voted in the affirmative were,

Messrs. Berry,
Blair,
Brierly,
Felkner,
Goddard,
Jay,
Lewis,
McMillan,
Newell,
Sales,
Walworth,
Wilson
Speaker.

Those who voted in the negative were,

Messrs. Andros,
Barton,
Briggs,
Culbertson,
Hackleman,
Hepner,
McCulloch,
Robertson,
Rogers,
Steele,
Swearingen,
Thornton.

So the resolution was adopted.

Mr. Walworth, from the committee appointed on the part of the House, to confer with a similar committee on the part of the Council, to take into consideration the expediency of revising the laws of this Territory, have performed that duty and have instructed me to report the following resolution:

Resolved, That we deem it expedient to revise the laws of this Territory the present session, and that a committee of eight be appointed on the part of the House as a standing committee of revision, to act with a similar committee to be appointed on the part of the Council.

Mr. Rogers offered the following substitute:

That three competent individuals be appointed by the Governor, by and with the advice and consent of the Council for that purpose, and report the result of their labors to the next session of the Legislature;

Upon which substitute the yeas and nays were ordered;

Yeas 7, Nays 19.

Those who voted in the affirmative were,

Messrs. Andros,
Brierly,
Briggs,
Hackleman,
Hepner,
McCulloch,
Rogers.

Those who voted in the negative were,

Messrs. Barton,
Berry,
Blair,
Bunker,
Culbertson,
Felkner,
Goddard,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson,
Speaker.

So the substitute was lost.

Mr. Walworth moved

To amend by inserting "and compile," after the word "revise," in the second line;

Which was agreed to.

The question then recurring upon the adoption of the resolution, as amended; and,

The yeas and nays were ordered;

Yeas 18, Nays 8.

Those who voted in the affirmative were,

Messrs. Barton,
Blair,
Brierly,
Bunker,
Culbertson,
Goddard,
Jay,
Lewis,
McCulloch,
McMillan,
Newell,
Robertson,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson,
Speaker.

Those who voted in the negative were,

Messrs. Andros,
Berry,
Briggs,
Felkner,
Hackleman,
Hepner,
Rogers,
Sales.

So the resolution as amended was adopted.

Mr. Walworth, from the select committee, to whom was referred No. 6, H. R. file, A bill granting to A. Scott Brownlee and others, the right to construct a mill race;

Report the same back back to the House, with the following additional section:

SEC. 3. This act to take effect from and after its passage and continue in force until the public lands shall have been sold by the General Government.

Mr. Rogers moved to amend the amendment by adding the following:

"Provided that the Legislature shall at all times, have the power to alter and amend or repeal this act."

Which was agreed to.

The question then recurring upon the amendment as amended, was put and agreed to.

Mr. Robertson then moved

That the bill be engrossed and read a third time on Monday next;

Which was agreed to.

Mr. Lewis, from the committee to whom was referred the petition of sundry citizens of Van Buren county, asking the relocation of a certain road, reported:

No. 13, H. R. file, A bill to authorise the Board of Commissioners of Van Buren county, to establish a certain road;

Which was read the first time.

Mr. Felkner, from the standing committee on memorials, reported

No. 14, H. R. file, Memorial to Congress for an additional land district;

Which was read a first time.

Mr. Sales, from the committee to whom was referred

No. 7, H. R. file, A bill to legalize the acts of the County Commissioners of Des Moines county in certain cases;

Reported the same back with the following amendments:

Strike out the word "all" in the third line of the first section, and strike out the word "concerning" in the fifth line and insert "in correcting."

Which was concurred in.

Mr. Hepner moved

That the bill be engrossed and read a third time on Monday next;

Which was agreed to; and,

On motion of Mr. Barton,

The House adjourned.

TWO O'CLOCK, P. M.

No. 9, H. R. file, A joint resolution for the appointment of a joint committee to establish the prices to be paid for public printing;

Was read a second time.

Mr. Hepner moved

To strike out the following words "and that said committee have power to send for persons and papers;"

Which was agreed to.

The question then recurred upon the adoption of the resolution as amended;

Which was put and agreed to.

Mr. Berry asked and obtained leave of absence for Mr Walworth, until Tuesday next.

No. 10, H. R. file, A bill to relocate the county seat of Lee county;

Was read a second time; and,

On motion of Mr. Lewis,

Ordered to lie on the table.

On motion of Mr. Barton,

Mr. Felkner was added to the committee on engrossed bills.

No. 11, H. R. file, A bill to amend an act entitled an act relating to the office of Recorder of Deeds;

Was read a second time; and,

On motion of Mr. Hackleman,

Ordered to be engrossed and read a third time on Tuesday next.

No. 2, C. file, An act to regulate the mode of petitioning the Legislative Assembly in certain cases;

Was read a second time.

Mr. Rogers moved

To strike out the enacting clause;

Which was agreed to.

No. 3, C. file, A memorial to Congress, asking for a survey of the Indian boundary line;

Was read a second time; and,

On motion of Mr. Robertson,

Ordered to be read a third time on Tuesday next.

No. 8, H. R. file, A bill to legalize the acts of the Board of County Commissioners of Jackson county in certain cases, and to make valid the acts of certain road commissioners;

Was read a third time; when,

Mr. Felkner moved its reference to a select committee.

The Chair appointed Messrs. Felkner, Briggs and Berry said comcommittee.

Mr. Hepner introduced

No. 15, H. R. file, A bill to amend an act entitled an act to provide for the appointment of Justices of the Peace, to proscribe their powers and duties and regulate their proceedings;

Which was read a first time; and,

Ordered, That forty copies of the same be printed.

Mr. Rogers introduced
No. 16, H. R. file, A bill to amend an act entitled an act subjecting real and personal estate to execution, so as to increase the exemption of sheep and household furniture from sale under execution;
Which was read a first time.

Mr. Rogers moved
To suspend the 42d rule, and that the bill be read a second time now;
Which was not agreed to.

Mr. Hackleman, on previous notice and leave granted, introduced
No. 17, H. R. file, A bill supplementary to an act, entitled an act, to amend an act concerning costs and fees;
Which was read a first time; and,
On motion of Mr. Rogers,
Forty copies were ordered to be printed; when,
On motion of Mr. Hepner,
The House adjourned.

MONDAY MORNING, DECEMBER 19, 1842.

The House met pursuant to adjournment.

Mr. Lewis gave notice that he would, on Tuesday or some future day, ask leave to introduce an act to legalize the acts of the administrators of Lemuel G. Jackson;
Also,
An act to amend a law entitled an act to authorize Henry Eno to erect a dam across the Des Moines river.
Mr. Barton, from the committee on engrossed bills, reported
No. 11, H. R. file, A bill to amend an act entitled an act relating to the office of Recorder of Deeds;
Also,
No. 7, H. R. file, A bill to legalize the acts of the County Commissioners of Des Moines county in certain cases;
Also,
No. 6, H. R. file, A bill granting to A. Scott Brownlee and others the right to construct a mill race;
As being correctly engrossed.

No. 13, H. R. file, A bill to authorize the Board of County Commissioners of Van Buren county to establish a certain road;

Was read a second time, and,

On motion of Mr. Lewis,

Ordered to be engrossed and read a third time to-morrow.

No. 14, H. R. file; A memorial to Congress for an additional Land District;

Was read a second time.

Mr. Berry moved

To refer the bill to a select committee;

Which was lost.

Mr. Felkner moved

That it be engrossed and read a third time to-morrow.

Mr. Hepner moved

To amend by referring it to the committee on memorials;

Which was lost.

Mr. Lewis moved

Further to amend by referring it to a select committee of one from each electoral district;

Which was agreed to.

The Chair appointed Messrs. Lewis, Andros, Berry, Culbertson, Felkner, Hepner, Jay, McCulloch, Newell and Robertson, said committee.

No. 16, H. R. file, A bill to amend an act entitled an act subjecting real and personal estate to execution, so as to increase the exemption of sheep and household furniture from sale under execution;

Was read a second time, and

On motion of Mr. Rogers,

Committed to a committee of the whole House, and made the special order of the day for Thursday next.

No. 6, H. R. file, A bill granting A. Scott Brownlee and others the right to construct a mill race;

Was read a third time, passed, and title agreed to.

No. 7, H. R. file, A bill to legalize the acts of the County Commissioners of Des Moines county in certain cases;

Was read a third time, passed, and title agreed to.

Mr. Newell, on previous notice and leave being granted, introduced

No. 18, H. R. file, A bill to amend an act entitled an act subjecting real and personal estate to execution;

Was read a first time, and,

On motion of Mr. McCulloch,

Ordered, That forty copies of the same be printed.

On motion of Mr. McCulloch,

The House adjourned.

TWO O'CLOCK, P. M.

A message from the Council by their Secretary, Mr. Fales:

Mr. Speaker—The Council has

Resolved, That it is expedient to revise and compile the laws of the Territory during the present session, and have appointed as a committee of revision, on the part of the Council, Messrs. Wallace, Teas, Wm. Patterson and Christie.

The Council have passed

No. 5, C. file, An act to prohibit and punish the sale of intoxicating liquors to Indians.

No. 6, C. file, An act to repeal an act entitled an act relating to auctioneers and auction sales, approved January 17th, 1840.

In all of which the concurrence of the House is requested.

The Council have concurred in

No. 9, H. R. file, A joint resolution authorizing the appointment of a committee to fix the prices of printing;

And have appointed Messrs. Leffler, Springer and Wallace the committee on the part of the Council.

I herewith present for your signature

No. 4, C. file, A memorial to the President of the United States, asking a postponement of the Land Sales in this Territory;

The Chair appointed Messrs. McMillan, Andros, Felkner, Hackleman, Lewis, Newell, Robertson and Walworth the committee of revision on the part of the House. And

Messrs. Walworth, Sales and Hepner the committee to fix the prices of printing, on the part of the House.

No. 5, C. file, An act to prohibit and punish the sale of intoxicating liquors to Indians;

Was read a first time.

No. 6, C. file, An act to repeal an act entitled an act relating to auctioneers and auction sales, approved January 17, 1840;

Was read a first time.

On motion of Mr. Berry,

The vote taken upon

No. 2, C. file, An act to regulate the mode of petitioning the Legislative Assembly in certain cases;

Was reconsidered, and,

On motion of Mr. Berry,

Ordered, That the same do lie upon the table.

On motion of Mr. McMillan,

The House adjourned.

TUESDAY MORNING, DECEMBER 20, 1842.

The House met pursuant to adjournment.

Mr. Berry presented the petition of Philip Roclure, asking a change of his name;

Which,

On motion of Mr. Rogers,

Was referred to the delegation from Cedar, Linn and Jones.

Mr. Barton, from the committee on engrossed bills, reported that they have examined

No. 13, H. R. file, A bill to authorize the Board of County Commissioners of Van Buren county to establish a certain road;

And find the same to be correctly engrossed.

Mr. McCulloch, on previous notice and leave granted, introduced

No. 19, H. R. file, A bill to relocate a part of a Territorial road in Henry county;

Which was read a first time.

The Chair submitted the following communication from the Territorial Agent:

Office of Territorial Agent,
Iowa City, December —, 1842.

Hon. James M. Morgan:

Sir—In obedience to a resolution of the House of Representatives, requesting the Territorial Agent to furnish his reasons for partially repudiating the Scrip issued on account of the Capitol, in the years 1841-'42; also to inform the House, as far as practicable, of the amount of Scrip now outstanding, and by whom it is held: I herewith submit the following reply:

The act entitled an act for the reduction of the minimum price of the unsold and forfeited lots in Iowa City, and their sale for work and materials on the Capitol, approved February 17, 1842, pointed clearly to the completion of the Capitol. No other construction could be given to it; and the lots, in accordance with the express provisions of law, were sold for work and materials on the Capitol. These sales could not be made available without means to furnish supplies for the laborers; hence the source from whence those supplies were to be obtained, formed the basis upon which the prosecution of the work must rest. As early as the month of May, the number of hands had increased to one hundred and six, and all looking to this office for support. I therefore was compelled to rely on debts due this office, contracted in 1839, to raise the necessary provisions to feed the hands.

To have received the Scrip of 1841 in payment of debts due this office, contracted in 1839, would have defeated the possibility, on my part, of obtaining the provisions to feed the hands while engaged at work on the Capitol. To have received the Scrip would only have absorbed the claims against this office, without placing in my hands any thing for active use; nor would the mechanics, whose labor was necessary for the prosecution of the Capitol, have purchased lots for work thereon, without an implied obligation on my part to furnish them with such articles as would support themselves and families whilst thus engaged. A dereliction of this duty would have been as fatal to the objects contemplated by the law as to send an army of men into the wilderness without provisions to feed them. The office came into my hands in a condition truly embarrassing. An appropriation made by Congress of $20,000; sales made by Chauncey Swan amounting to $35,051, and by Jesse Williams $9,031, together with a loan negotiated by the latter at the Miners' Bank of Dubuque for $5,500—making $69,582—had all passed into the hands of those two officers. Out of this amount there was returned to me (as will be seen by reference to my annual report) $13,013 87, being a remnant of notes of 1839-'40-'41. This small and unavailable amount was incumbered with more than eleven thousand dollars outstanding debts created in 1841. Included in this amount was the outstanding Scrip of 1841, referred to in the resolution of the House (in amount about $4,000.) This Scrip was offered in payment of all debts due this office. The necessity for making some discrimination became indispensible to secure the necessary means in time to prosecute the work on the Capitol. In making this discrimination, I based the redemption of the Scrip of 1841 upon debts due the office from sales of that year, aided by a portion of the sales of 1840, reserving the debts of 1839 for collection and active use, in accordance with the provisions of the 5th section of the act of the 17th February, 1842, referred to above. The grievances set forth in the petition which gave rise to the resolution of the House, will be found in the excessive issue of Scrip of 1841, and the credit secured for it with merchants under the promise of Territorial bonds. In view of this arrangement, the firm of Murray & Sanxay alone, as early as December last, had taken in three thousand dollars of that issue. Failing, as they did, at the last session, to obtain Territorial bonds, they sought to throw it out as a currency—which failed. Whether the discrimination made by me in the application of particular debts to certain specific objects, can, by any fair construction, extend to repudiation, is questionable. So far from repudiating this Scrip, I have redeemed more than one half which was outstanding on the 6th day of March last. All the small amounts which were in circulation as a currency, except $150 to $200, have been taken in, and the firm of Murray & Sanxay are the holders of the residue. The amount now outstanding cannot exceed $1,800.

In reply to that portion of the resolution which related to the Scrip of 1842, I refer the House to my annual report for the basis of the issue; it is only applicable to the sales of 1842. To this source and no other could the holders look for payment. These issues have been made with strict regard to the means for their redemption. Since the date of my report I have taken in $500, leaving only $900 outstanding, which will all be taken in before the commencement of operations on the Capitol in 1843. I herewith append a specimen of the issue of 1842:

Real Estate Security, $52,700.

Real Estate Security, Iowa City Lots, $52,700.

$1.00 **No.**

Office of Territorial Agent,
Iowa City, 1842.

I Certify that there is due the bearer **ONE DOLLAR**, which will be received at this office in payment for Iowa City Lots sold after the first day of May, 1842.

Territorial Agent.

Real Estate Security, $52,700.

[The latter part of the foregoing report has been lost by the Clerk in filing this day's proceedings, and consequently it is omitted.]

On motion of Mr. Newell,
Said report was referred to the committee on Public Buildings.

No. 15, H. R. file, A bill to amend an act, entitled an act, to provide for the appointment of Justices of the Peace, and to prescribe their powers and duties and regulate their proceedings;
Was read a second time.
Mr. Wilson moved
Its reference to the committee on Revision.
Mr. Goddard moved
To amend by referring it to the committee of the whole;
Which was agreed to.
So the House resolved itself into committee of the whole, Mr. Lewis in the chair; and,
After some time spent therein, the committee rose, and, by their chairman, reported the same back to the House without amendment, which was concurred in; when,
On motion of Mr. Walworth,
Said bill was referred to the committee on the Judiciary.

The following message was received from the Council by Mr. Fales their Secretary:
Mr. Speaker—The Council have passed
No. 10, C. file, A joint resolution providing for the adjournment of the two Houses on Thursday the 22d inst. until Monday the 2d day of January, 1843.
In which the concurrence of the House is requested.
No. 5, C. file, An act to prohibit and punish the sale of intoxicating liquors to Indians;
Was read a second time; and,
On motion of Mr. Lewis,
Was committed to the committee of the whole, and made the special order of the day for Thursday next.

No. 6, C. file, A bill to repeal an act, entitled an act, relating to auctioneers and auction sales, approved January 17th, 1840;
Was read a second time.
On motion of Mr. Hepner,
Referred to the Committee on the Judiciary.

No. 3, C. file, A memorial to Congress, asking for a survey of the Indian boundary line;
Was read a third time and passed and title agreed to.

No. 11, H. R. file, A bill to amend an act, entitled an act, relating to the office of Recorder of Deeds;
Was read a third time, passed and title agreed to.

No. 10, C. file, A joint resolution proving for an adjournment of the two Houses until the 2d day of January, 1843;
Was read a first time.

On motion of Mr. Brierly,
No. 10, H. R. file, A bill to relocate the county seat of Lee county;
Was taken up and read a second time; when,
On motion of Mr. Brierly,
The name of Francis Frazier was stricken out of said bill.
Mr. Jay moved
To substitute George Miller.
Mr. Steele moved
To amend by inserting Hamilton Robb; when,
On motion of Mr. Newell,
The House adjourned.

TWO O'CLOCK, P. M.

Mr. McCulloch moved a call of the House, which was had, and the absent members appearing in their seats;
On motion of Mr. McCulloch,
The further call was dispensed with, when the consideration of
No. 10, H. R. file, A bill to relocate the county seat of Lee county; was resumed.

The question pending at the adjournment, was to fill the blank occasioned by striking out the name of Francis Frazier, by inserting the name of Hamilton Robb.
Mr. Brierly moved
To amend by inserting the name of T. O. Wamsley.
Mr. Steele moved
To recommit the bill to the delegation from Lee county,
Which was agreed to.

No. 13, H. R. file, A bill to authorise the Board of Commissioners of Van Buren county, to establish a certain road;
Was read a third time, passed, and title agreed to.

Mr. McMillan moved to adjourn,
Which was lost.
Mr. Rogers moved
No. 10, C. file, A joint resolution providing for the adjournment of the two Houses, until the 2d day of January, 1843;
Which was lost.
On motion of Mr. Newell,
The House adjourned.

WEDNESDAY MORNING, DECEMBER 21, 1842.

The House met pursuant to adjournment.

Mr. Berry, from the select committee to whom was referred the petition of Philip Roclure, asking a change of his name; reported

No. 20, H. R. file, A bill to change the name of Philip Roclure;

Which was read a first time.

Mr. Berry moved

To suspend the 42d rule and that the Bill be read a second time,

Which was agreed to; when,

On motion of Mr. Walworth,

The House resolved itself into committee of the whole, Mr. Felkner in the chair; and,

After some spent therein, the committee rose and by their chairman reported the same back to the House without amendment;

When,

On motion of Mr. Walworth,

The 42d Rule was again suspended and the bill read a third time and passed and title agreed to.

Mr. Rogers, from the committee on the Judiciary, to whom was referred

No. 15, H. R. file, A bill to amend an act, entitled an act, to provide for the appointment of Justices of the Peace, to proscribe their duties and powers and to regulate their proceedings;

Have had the same under consideration and report the bill back to the House with the following amendments, namely:

To strike out the first and fifth sections of the Bill.

The committee is of the opinion that there are serious objections to the first section.

The execution for costs which that section provides to be issued against the plaintiff, in case the same were not paid by the defendant, would be issued without having any judgment whereon to found such execution, and would present the anomaly in legal proceedings of issuing execution against one party, when the judgement of the court was against the opposite party.

It would deprive the plantiff of the constitutional and common law right of trial by jury, and of the opportunity of making any defence; such as false return of the officer, or a payment of the costs to the persons severally entitled to them.

The committee think, in relation to the fifth section, that the existing law is sufficiently restrictive to protect the just rights of defendants. It provides that "Every action cognizable before a justice of the peace, instituted by summons or warrant, shall be brought before some justice of the township, either, first, wherein the defendant resides—or, second, wherein theplantiff resides and the de-fendant may be found, but if the defendant in any action is a nonresident of the county, or has absconded from the usual place of abode, the action may be brought before some justice of any township where he may be found."

The provisions contained in the fifth section of the Bill if passed into a law, your committee beleive would be favoring the party in fault, throwing great obstacles in the way of collecting debts, be burdensome upon creditors and witnesses, and contrary to the practice elsewhere, and against sound policy; which,

On motion of Mr. Rogers,

Was laid upon the table.

Mr. McCulloch, from the select committee, consisting of the Lee county delegation, to whom was referred

No. 10, H. R. file, A bill to relocate the county seat of Lee county;

Reported the same back to the House with amendments;

Which were concurred in; when,

On motion of Mr. McCulloch,

Ordered to be engrossed and read a third time to-morrow.

No. 12, H. R. file, A report and joint resolution of the committee on claims, to whom was referred the account of Wilson & Keesecker;

Being the order of the day, the House resolved itself into committee of the whole, Mr. Robertson in the chair, and,

After some time spent therein, the committee rose, and, by their chairman, reported the same back to the House without amendment; when,

On motion of Mr. Andros,

The same was ordered to be engrossed and read a third time to morrow.

No. 10, C. file, A joint resolution providing for the adjournment of both Houses until January 2d, 1843;

Which was read a first time.

Mr. Newell moved

To strike out Thursday and insert Friday.

Which was lost; when,

On motion of Mr. Lewis,

The House resolved itself into committee of the whole, Mr. Wilson in the Chair; and,

After some time spent therein, the committee rose, and, by their chairman, reported the same back to the House with one amendment.

Mr. Lewis moved a call of the House,

Which was had, and the absent members sent for, who appearing in their seats,

The further call of the House, was,

On motion of Mr. Andros, dispensed with.

The question then recurring upon the amendment of the committee of the whole, to wit:

Strike out all after the word "Council," to the word "Iowa," inclusive, and insert "the House of Representatives concurring herein;"

Which was agreed to.

Mr. Barton moved

To indefinitely postpone the consideration of the subject;

Which was lost.

Mr. Barton moved

To strike out all after the word "that" in the third line, to the word "the," in the second line;

Which was agreed to.

The question then recurred upon the adoption of the resolution as amended;

Upon which the yeas and nays were ordered;

Yeas 17, Nays 9.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Berry,
Briggs,
Bunker,
Culbertson,
Felkner,
Hackleman,
Hepner,
Lewis,
McCulloch,
Newell,
Rogers,
Steele,
Thornton,
Walworth,
Speaker.

Those who voted in the negative were,

Messrs. Blair,
Brierly,
Goddard,
Jay,
McMillan,
Robertson,
Sales,
Swearingen,
Wilson.

So the resolution as amended was adopted.

Message from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—The Council have passed

No. 7, C. file, A bill to extend further time to the First Universalist Society, to complete their House of worship.

Also,

No. 8, C. file, A joint resolution instructing our Delegate in Congress to procure an amendment to the Organic law.

In which the concurrence of the House is requested.

Also, without amendment,

No. 6, H. R. file, A bill granting to A. Scott Brownlee and others, the right to construct a mill race;

No. 7, H. R. file, A bill to legalize the acts of the County Commissioners of Des Moines county in certain cases;

Mr. Walworth offered the following:

Resolved, That the committee on revision have power to fill any vacancies that may occur in that body during the recess of the House, from any of the members of this House, and that said committee have power to employ one or more clerks as may be necessary, and that said committee have power to procure the performance of such incidental printing as they may deem necessary.

Mr. McMillan moved,

To amend by inserting after the word "Resolved," "By the House of Representatives, the Council concurring herein."

Which was agreed to; when

On motion of Mr. McMillan,

The resolution was further amended, by striking out all after the word "Clerks."

Mr. Hepner moved,

Further to amend by striking out "or more" in the fifth line after the word "one," "as may be necessary" after the word "Clerks" in the sixth line, with the letter "s."

Which was agreed to. The question then recurring upon the adoption of the Resolution as amended, was put and agreed to.

So the resolution as amended was passed.

On motion of Mr. Rogers,

The House adjourned.

THURSDAY MORNING, DECEMBER 22, 1842.

The House met pursuant to adjournment.

Mr. Lewis, on previous notice and leave being granted, introduced

No. 21, H. R. file, An act to legalize the acts of George Duden;

Which was read a first time.

Mr. Culbertson, asked and obtained leave of absence for Mr. Thornton.

Mr. Walworth, from the committee on engrossed bills, reported that they have examined

No. 10, H. R. file, A bill to relocate the county seat of Lee county;

Also,

No. 12, H. R. file, A report and joint resolution of the committee on claims relative to the account of Wilson & Keesecker;

And find the same to be correctly engrossed.

Mr. Lewis, from the committee on enrolled bills, reported that they have examined

No. 6, H. R. file, A bill granting A. Scott Brownlee and others the right to construct a mill race;

Also,

No. 7, H. R. file, A bill to legalize the acts of the County Commissioners of Des Moines county in certain cases;

And find the same to be correctly enrolled.

No. 16, H. R. file, A bill to amend an act entitled an act subjecting real and personal estate to execution, so as to increase the exemption of sheep and household furniture from sale under execution;

Being the order of the day, the House resolved itself into committee of the whole for the consideration of the same, Mr. Walworth in the chair; and,

After some time spent therein, the committee rose, and by their chairman reported the same back to the House without amendment;

When,

On motion of Mr. Rogers,

The said bill was laid on the table.

No. 5, C. file, An act to prohibit and punish the sale of intoxicating liquors to Indians;

Being the order of the day, the House resolved itself into committee of the whole, for the consideration of the same, Mr. Hepner in the chair; and,

After some time spent therein, the committee rose, and by their chairman reported the same back to the House without amendment;

When,

On motion of Mr. Lewis,

The bill was referred to the committee on the Judiciary.

No. 17, H. R. file, A bill supplementary to an act, entitled an act, to amend an act concerning costs and fees;

Was read a second time; and,

On motion of Mr. Rogers,

Laid upon the table.

No. 18, H. R. file, A bill to amend an act entitled an act subjecting real and personal estate to execution;

Was read a second time, and,

On motion of Mr. Newell,

Laid upon the table.

No. 19, H. R. file, A bill to relocate a part of a Territorial road in Henry county;

Was read a second time; and,

On motion of Mr. Wilson,

Ordered to be engrossed and read a third time on the 2d of January next.

No. 10, H. R. file, A bill to relocate the county seat of Lee county;

Was read a third time.

Mr. Sales moved

To lay the bill on the table until the second of January next;

Which was lost.

Mr. Hepner then moved

To postpone the further consideration of said bill until Tuesday week; which was lost.

Mr. Newell moved

To amend by inserting the following additional section:

SEC. 12. That if the seat of justice of Lee county shall be removed from Ft. Madison, it shall be the duty of the County Commissioners to refund the amount heretofore subscribed and paid on subscription by individuals for the purpose of erecting public buildings;

Pending which,

On motion of Mr. McCulloch,

The billwas laid on the table subject to the order of the House.

The following message was then received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have passed

With amendments the resolution authorizing the committee on revision to fill vacancies and employ one Clerk.

In which the concurrence of the House is requested.

No. 12, H. R. file, Joint resolution fixing the pay of Wilson & Keesecker for printing the Journals of the House of Representatives, session 1841–'42;

Was read a third time; when,

On motion of Mr. Walworth,

The same was referred to the select committee appointed to report a bill fixing the prices of public printing.

Upon which question the yeas and nays were ordered;

Yeas 14, Nays 11.

Those who voted in the affirmative were,

Messrs. Barton,
Blair,
Bunker,
Goddard,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Swearingen,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Berry,
Brierly,
Briggs,
Culbertson,
Felkner,
Hackleman,
Hepner,
McCulloch,
Rogers,
Speaker.

So the motion was agreed to.

A message from the Council by their Secretary, Mr. Fales:

Mr. Speaker—The Council have concurred in the amendments made by the House, to

No. 10, C. file, A resolution providing for the adjournment of the two Houses.

The Council have passed

No. 13, H. R. file, A bill to authorize the Board of County Commissioners of Van Buren county to establish a certain road;

No. 7, C. file, A bill to extend further time to the First Universalist Society to complete their house of worship; and, No. 8, C. file, Joint resolution instructing our Delegate in Congress to procure an amendment to the Organic law;

Were severally read a first time.

The resolution giving to the committee on Revision the power to fill vacancies, &c., being under consideration as returned from the Council, amended so as to read as follows:

Resolved, by the House of Representatives, the Council concurring herein, That the committee on Revision have power to fill any vacancies that may occur in that body during the recess of this House, from any of the members of either House;

And be it further

Resolved, That said committee shall have the power to command the services of any of the Clerks of either House.

The amendments of the Council were concurred in, and the resolution as amended was adopted.

On motion of Mr. Lewis,

Leave of absence was granted to the Sergeant at arms of this House during the recess.

On motion of Mr. Rogers,

Leave of absence was granted to all the officers of this House whose services are not required by the committee on Revision.

On motion of Mr. McMillan,

The House adjourned until the 2d day of January, 1843.

MONDAY MORNING, JANUARY 2, 1843.

The House met pursuant to adjournment.

Mr. Barton presented the petition of sundry citizens of Van Buren county, asking for a certain Territorial road; which,

On motion of Mr. Barton,

Was referred to the delegation from Van Buren county.

Mr. Steele presented the remonstrance of sundry citizens of Lee county, remonstrating against the relocation of the county seat of Lee county;

Mr. Brierly moved

To refer said petition to a select committee, consisting of the delegation from Lee county.

Mr. Hepner moved

To amend by referring the same to a select committee, consisting of one from each electoral district;

Which was lost.

The question then recurring upon the original motion, was put and agreed to.

Mr. Lewis presented the petition of sundry citizens of Iowa Territory, asking a charter to Arthur Thome to build a lock and dam across the Des Moines river for mill purposes; which,

On motion of Mr. Lewis,

Was referred to the Delegates from Lee and Van Buren counties.

Mr. Robertson gave notice that he would, on to morrow or some future day, ask leave to introduce a bill to regulate the practice of medicine and surgery in the Territory of Iowa.

Mr. Brierly, from the select committee to whom was referred, that part of the Governor's message, relative to the improvement of the Mississippi river, reported

No. 22, H. R. file, A memorial for a grant of land for a canal at each of the Rapids of the Mississippi;

Which was read a first time.

Mr. McCulloch moved

That forty copies of the same be printed.

Which was agreed to.

Mr. Lewis, from the committee on enrolled bills, reported that they have examined

No. 13, H. R. file, A bill to authorize the Board of County Commissioners of Van Buren county to establish a certain road;

And found the same correctly enrolled.

No. 21, H. R. file, An act to legalize the acts of George Duden, a justice of the peace;

Was read a second time; and,

On motion of Mr. Lewis,

Ordered to be engrossed and read a third time on Monday next.

No. 7, C. file, A bill to extend further time to the First Universalist Society, to complete their House of worship;

Was read a second time; and,

On motion of Mr. Felkner,

Was ordered to be engrossed and read a third time to-morrow.

No. 8, C. file, A joint resolution instructing our Delegate in Congress to procure an amendment to the Organic law;

Was read a second time; and,

On motion of Mr. Hepner,

Referred to the Committee on the Judiciary.

No. 19, H. R. file, A bill to relocate a part of a Territorial road in Henry county;

Was read a third time, passed, and title agreed to.

Mr. Rogers, on previous notice and leave granted, introduced No. 23, H. R. file, A bill to repeal the charter of the Miners' Bank of Dubuque and to provide for winding up the affairs of the same;

Which was read a first time; when,

On motion of Mr. Walworth,

Forty copies of the same were ordered to be printed.

On motion of Mr. Lewis,

The petition of the Journeymen Printers of Iowa City;

Was taken from the table, and referred to the joint committee on printing; when,

On motion of Mr. Barton,

The House adjourned until Tuesday morning.

TUESDAY MORNING, JANUARY 3, 1843.

The House met pursuant to adjournment.

Mr. Berry presented the petition of sundry citizens of Linn county, asking the repeal of a certain law; which,

On motion of Mr. Berry,

Was referred to the committee on the Judiciary.

Mr. Hepner presented the petition of Wm. Walters, asking an allowance for printing certain acts of the Wisconsin Legislature; which,

On motion of Mr. Hepner,

Was referred to the committee on the Judiciary.

Mr. Barton presented the petition of sundry citizens of Bentonsport, asking an extension of time for completing a certain mill dam;

Also,

The petition of sundry citizens of Bentonsport, asking that the public landing of said place be donated to the holders of a certain charter, for mill purposes; which,

On motion of Mr. Barton,

Were referred to the delegation from Van Buren county.

Mr. Brierly presented the petition of sundry citizens of Lee county, asking the Legislature to authorize Isaac R. Chandler and others, to construct a certain mill dam; which,

On motion of Mr. Brierly,

Was referred to the delegation from Lee county.

On motion of Mr. McCulloch,

The petition of sundry citizens of Lee county, relating to the county seat of said county;

Was taken from the table; and,

Referred to the delegation from Lee county.

Mr. Rogers presented the petition of Edwin Steele and others, asking power to locate a certain road, &c.;

Also,

The petition of sundry citizens of Dubuque, remonstrating against the further location of roads in said county; which,

On motion of Mr. Rogers,

Were referred to the committee on roads.

Mr. Walworth offered the following:

Resolved, by the Council and House of Representatives of the Territory of Iowa, That the joint committee appointed to report a bill of prices hereafter to be allowed for the public printing of this Territory be authorized to administer oaths and examine witnesses before said committee; when,

On motion of Mr. Walworth,

The 42d rule was suspended, the resolution read a second and third time and passed.

Mr. Sales gave notice, that he would on to-morrow or some future day, ask leave to introduce a bill to amend an act entitled an act relative to mechanics' liens and other purposes.

Mr. Walworth, from the committee on engrossed bills, reported that they have examined

No. 21, H. R. file, An act to legalize the acts of George Duden a justice of the peace;

And find the same to be correctly engrossed.

Mr. McMillan, from the committee on revision, reported

No. 25, H. R. file, A bill organizing a board of County Commissioners in each county in the Territory of Iowa;

Also,

No. 26, H. R. file, An act in relation to the safe custody of persons arrested for crimes and misdemeanors;

Also,

No. 27, H. R. file, A bill to prevent and punish gaming;

Also,

No. 28, H. R. file, An act for the encouragement of Agriculture and Domestic Manufactures;

Also,

No. 29, H. R. file, An act regulating the keeping of stallions and jacks, and to improve the breed of horses;

Which were severally read a first time.

Mr. Walworth moved to print No. 25.

Mr. Newell moved to print No. 26.

Mr. Robertson moved to print No. 27.

Which motions were severally agreed to.

No. 23, H. R. file, A bill to repeal the charter of the Miners' Bank of Dubuque, and to provide for the winding up the affairs of the same;

Being the order of the day, the House resolved itself into committee of the whole, Mr. Andros in the chair, and,

After some time spent therein, the committee rose, and, by their chairman, reported the same back to the House without amendment.

Mr. Walworth moved

To lay the bill on the table until Monday next:

Upon which the yeas and nays were ordered;

Yeas 17, Nays 9.

Those who voted in the affirmative were,

Messrs. Bunker,
Jay,
McMillan,
Steele,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Barton,
Berry,
Blair,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Lewis,
McCulloch,
Newell,
Robertson,
Rogers,
Sales,
Swearingen,
Speaker.

So the motion was lost.

Mr. Rogers moved

To lay the bill upon the table, subject to the order of the House;

Which was agreed to.

The following message was received from the Council by Mr. Fales their Secretary:

Mr. Speaker—The Council have passed without amendment

No. 20, H. R. file, A bill to change the name of Philip Roclure.

I herewith present for your signature

No. 3, C. file, A memorial to Congress, asking for a survey of the Indian boundary line;

Also the following:

The Council have passed without amendment

No. 24, H. R. file, A joint resolution authorizing the committee on printing to administer oaths, &c.

I herewith return

An act to authorize the Board of County Commissioners of Van Buren county to establish a certain road.

No. 7, H. R. file, A bill to legalize the acts of the County Commissioners of Des Moines county in certain cases.

No. 6, H. R. file, A bill granting to A. Scott Brownlee and others the right to construct a mill race;

All of which have been signed by the President of the Council.

No. 7, C. file, A bill to extend further time to the first Universalist Society to complete their House of worship;

Was read a third time, passed and title agreed to.

Mr. Jay presented the account of T. H. Curts; which,

On motion of Mr. Jay,

Was referred to the committee on claims; when,

On motion of Mr. Lewis,

The House adjourned until to-morrow at 10 o'clock.

WEDNESDAY MORNING, JANUARY 4, 1843.

The House met pursuant to adjournment.

Mr. Lewis, from the committee on enrolled bills, reported that they have examined

No. 24, H. R. file, A joint resolution authorizing the committee on printing to administer oaths and examine witnesses;

Also,

No. 20, H. R. file, A bill to change the name of Philip Roclure;

Also,

No. 4, H. R. file, A joint resolution relative to Iowa Manufactures;

And find the same to be correctly enrolled.

Mr. Lewis, from the committee on enrolled bills, reported, that they have this day presented to the Governor for his approval and signature:

An act granting to A. Scott Brownlee and others, the right to construct a mill race.

An act to legalize the acts of the County Commissioners of Des Moines county in certain cases; and,

An act to authorize the Board of Commissioners of Van Buren county to establish a certain road.

The Chair submitted the following communication from the Secretary of the Territory:

Secretary's Office,
Iowa City, January 4, 1843.

To the Honorable
The Speaker of the House of Representatives:

Permit me, through you, to inform the House, that I have just received through the medium of the Post Office at Burlington, several Treasury Drafts on various offices, being for portions of the annual appropriation, and amounting in the aggregate to eighteen thousand six hundred and seventy-five dollars [$18,675 00] one of the drafts alluded to, is for one thousand seven hundred and seventy-five dollars, on the Land Office at Fairfield; another is for three thousand eight hundred dollars, on the Land Office at Palmyra, and a third for thirteen thousand one hundred dollars, on the Bank of America, a deposite Bank in the City of New York.

It is my intention as soon as I can make the arrangement to proceed to Palmyra for the purpose of procuring the amount on that office, and collect the Fairfield draft, on my return to the Capitol.

The Honorable, the House of Representatives will at once perceive the utter impracticability of making available, without some action on the part of the Legislative Assembly, any sum over the proceeds of the drafts on Fairfield and Palmyra, say $5,575.

I am informed that there is a branch of the Bank of Missouri located at Palmyra, and it was furthermore suggested to me that the Treasury draft on New York might be cashed there. The purport of the present communication then, is to respectfully propose for consideration of your Hon. body, as possessing primarily the power of all legislation touching measures of revenue, the passage of a Joint resolution authorizing the Secretary of the Territory to negotiate the draft referred to, prescribing to him the kind of funds the members of the House, with the concurrence of those of the Council, would be willing to receive in payment of their per diem; that is to say, provided the amount, the whole or any part of it, could not be procured in gold and silver.—The Hon., the House of Representatives will please observe that it is not contemplated to yield one dollar, as a rate of exchange; on the contrary, the Secretary, even with the sanction of the Assembly, would not be warranted in making any discount for any description of funds whatsoever.

I am, sir, very respectfully,
Your obedient servant,
O. H. W. STULL,
Secretary of Territory.

Mr. Andros moved,

To refer said communication to the committee on expenditures;

Which was agreed to.

The Chair also submitted the following report of the Territorial Treasurer:

TREASURER'S REPORT.

TREASURER'S OFFICE, IOWA,
January 1st, 1843.

To the Honorable
The Legislative Assembly:

GENTLEMEN—In obedience to the provisions of the law imposing on me that duty, I herewith submit the aunnual report of this office.

The following receipts are based upon conditional credits, by reason of drafts drawn upon the counties annexed, in liquidation of the Auditor's Warrant's, below, marked paid.

1842.	Drafts drawn on Lee county, -	$100 00	
"	" Des Moines county,	382 50	
"	" Scott county, -	129 00	
"	" Jefferson county,	22 00	
"	Cash actually received of Johnson county	37 00	
	Total amount, -		$670 50

No.	*Auditor's Warrants paid.* 1842. 1*st quarter.*		
	Jesse Williams—Auditor's salary for 1841,	$100 00	
7.	V. P. Van Antwerp, Adj't Gen'l, -	75 00	
24.	Do. do. -	75 00	
58.	M. Reno, Treasurer's salary, -	11 68	
30.	A. H. Davenport, - - -	54 00	
61.	John Lorton, - - -	21 00	
	2*d quarter.*		
48.	James Cameron, - - -	22 00	
49.	Do. - - -	189 50	
64.	M. Reno, Treasurer's salary, -	25 00	
62.	Wm. Greene, - - -	22 00	
	4*th quarter.*		
74.	O. H. W. Stull, Adj't Gen'l, -	75 00	
	Total amount, -		$670 18
	Amount in the Treasury, 1843, 1st January,		32

No.	*Outstanding Warrants.* 1*st quarter*—1840.		
5.	O. Fairchild, - - -	$ 10 00	
6.	V. P. Van Antwerp, - -	150 00	
8.	D. Hogue, - - -	14 12	
			$ 174 12
	3*d quarter*—1840.		
9.	A. H. Davenport, - -	6 99	
10.	D. Hogue, - - -	20 00	
			26 99
	4*th quarter*—1840.		
13.	H. Heffleman, - - -	50 00	
14.	Do. - - -	50 00	
15.	Do. - - -	50 00	
16.	Do. - - -	50 00	
17.	Do. - - -	50 00	
18.	Do. - - -	50 00	
19.	Do. - - -	20 00	
22.	Henry King, - - -	32 00	
			352 00
	Amount carried forward,		$553 11

	Amount brought forward,		$553 11
No.	1*st quarter*—1841.		
25.	J. H. Lines,	92 24	
26.	B. W. Gillock,	189 73	
			281 97
	2*d quarter*—1841.		
28.	J. Davis,	24 72	
29.	J. G. Morrow,	19 11	
31.	Wells & Wilson,	1000 00	
32.	Do.	1000 00	
33.	Do.	1000 00	
34.	Do.	1000 00	
35.	Do.	1000 00	
36.	Do.	500 00	
37.	Do.	500 00	
38.	Do.	500 00	
39.	Do.	600 00	
40.	John Claypole,	437 50	
41.	Wells & Wilson,	500 00	
42.	Do.	500 00	
43.	Do.	500 00	
44.	Do.	251 42	
45.	Lucy Ann Smith,	61 87	
			9,394 62
	4*th quarter*—1841.		
46.	Wm. Reynolds,	62 50	
47.	Wm. Reynolds,	62 50	
50.	Samuel Smith,	64 50	
51.	A. H. Davenport,	9 00	
52.	J. A. Bowing,	27 00	
53.	B. W. Gillock,	54 00	
54.	Theodore Sanxay.	125 00	
55.	George M. McCoy,	21 00	
56.	George W. Commins,	180 00	
57.	Maj. Henry King,	79 00	
			684 50
	1*st quarter*—1842.		
59.	Z. C. Inghram,	9 12	
60.	C. M. McDaniel,	5 49	
			14 61
	2*d quarter*—1842.		
63.	Wm. Reynolds,	85 40	
65.	H. W. Gray,	37 87	
66.	S. H. Tryon,	19 34	
67.	M. Reno,	25 00	
			167 61
	Amount carried forward,		$11,096 42

	Amount brought forward,		$11,096 42
No.	*4th quarter*—1842.		
68.	M. Reno,	25 00	
69.	Do.	5 37	
70.	A. H. Davenport,	13 50	
71.	Levi Williams,	11 00	
72.	Jared N. Snow,	14 00	
73.	John W. Brown,	32 00	
75.	W. H. Woodbridge,	9 24	
			110 11
	Total amount outstanding,		$11,206 53

Included in this amount, on account of Penitentiary, $9,288 92—which leaves, provided that amount is paid off by appropriations made by Congress, a balance against the Territory of $1,917 61.

I would respectfully call the attention of the Legislature to the fact that there is no law providing the mode, or by whom, the Territorial revenue shall be transmitted to the Territorial Treasury. By reference to the law, it will be seen that the Auditor's Warrants will serve the same purpose, in the hands of the Collectors and County Treasurers, as that of cash; hence the Territorial Treasurer may, on presentation of an Auditor's Warrant, draw upon a county indebted to the Treasury, but before the draft is presented to the Collector or County Treasurer, the money may have been drawn out upon an Auditor's Warrant. The result is protestation, and consequently a draft drawing interest.

In this particular, I would suggest the expediency of so revising the law as to make it the duty of the Collectors to pay the revenue, as soon as collected, into the Territorial Treasury, and for the same receive duplicate receipts from the Treasurer, one of which to be deposited with the Auditor of Public Accounts, the other retain as a voucher for his own securiiy. This mode will not only facilitate the reception of the revenue, but exclude much irregularity and confusion in this branch of our Territorial Government.

I am, with high respect,
Your obedient servant,
MORGAN RENO,
Treasurer.

Which,
On motion of Mr. Sales,
Was ordered to lie on the table; and,
Forty copies ordered to be printed.

Mr. Steele presented the account of Hawkins Taylor, for expenses incurred in going to Illinois after a fugitive from Iowa; which,
On motion of Mr. Steele,

Was referred to the committee on claims.

No. 28, H. R. file, An act for the encouragement of Agriculture and Domestic Manufactures;

Was read a second time; and,

On motion of Mr. Lewis,

Referred to the commitee on agriculture.

No. 29, H. R. file, An act regulating the keeping of stallions and jacks, and to improve the breed of horses;

Was read a second time; when,

On motion of Mr. Hepner,

The House resolved itself into committee of the whole, Mr. Barton in the Chair; and,

After some time spent in consideration of the same, the committee rose, and, by their chairman, reported the same back to the House with amendments;

Which were concurred in; when,

On motion of Mr. Robertson,

The same was ordered to be engrossed and read a third time to-morrow.

No. 22, H. R. file, Memorial for a grant of land for a canal at each of the Rapids of the Mississippi;

Was read a second time,

And considered in committee of the whole, Mr. Berry in the Chair; and,

After some time spent therein, the committee rose and by their chairman reported progress and asked leave to sit again;

Which was granted.

Mr. Walworth offered the following:

Resolved, That the Chief Clerk of this House be authorized to employ the services of an additional Clerk, to assist in the enrolling and engrossing of bills, and for such other services as this House may require; which,

On motion of Mr. Rogers,

Was laid upon the table.

On motion of Mr. Rogers,

The House adjourned until to-morrow morning at 10 o'clock.

THURSDAY MORNING, JANUARY 5, 1843.

The House met pursuant to adjournment.

Mr. Andros gave notice, that he would on to-morrow or some future day, ask leave to introduce a bill to legalize the acts of the sheriff of Clayton county.

Mr. Hepner, from the committee on expenditures, to whom was referred the communication of the Secretary of the Territory, reported, That they do not feel justified in authorizing the Secretary to receive any kind of funds to defray the expenses of the Legislative Assembly, except gold and silver.

Mr. Lewis moved

To amend by adding the words, "or land office money;"

Which was lost.

The question then recurring upon the adoption of the report, was put and agreed to.

Mr. Andros, from the committee on claims, to whom was referred the account of T. H. Curts, for sundry articles furnished the House of Representatives, during the session 1840 and '41, reported, that they have examined the same and find no proof of the validity of the aforesaid account, and recommend its rejection, and ask to be discharged from the further consideration of the subject;

Which was adopted.

Mr. Walworth, from the committee on engrossed bills, reported that they have examined

No. 29, H. R. file, An act regulating the keeping of stallions and jacks, and to improve the breed of horses;

And find the same to be correctly engrossed.

Mr. Goddard from the committee on Agriculture, to whom was referred

No. 28, H. R. file, An act to encourage Agriculture and Domestic Manufactures;

Reported the bill back with the following amendments:

Sec. 2. Strike out all after the word "Secretary" in the third line, to the word "meeting" inclusive in the 7th line.

Sec. 3. Insert after the word "year" in the third line the words "and until their successors are chosen.

Sec. 9. Strike out all after the word "manufactures" in the ninth line, to the word "And" in the fourteenth line.

Mr. Lewis moved

To strike out "counties" wherever it occurred and insert "Territory;"

Which was lost.

The question then recurring upon the amendments of the committee, was put and agreed to; when,

On motion of Mr. McMillan,

The bill was ordered to be engrossed and read a third time to-morrow.

The following message was then received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have passed

No. 11, C. file, A bill to locate a Territorial road from Bennett's mills in Buchanan county, via the county seat of Delaware to Olmstead's mills in said county;

In which I am directed to ask the concurrence of the House.

I herewith return

A joint resolution authorizing the committee on printing to administer oaths, &c.

A joint resolution relative to Iowa Manufactures.

A act to change the name of Philip Roclure.

All of which have been signed by the President of the Council.

I herewith present for your signature

An act to extend further time to the First Universalist Society of Iowa City to complete their House of worship.

No. 25, H. R. file, A bill organizing a board of County Commismissioners in each county in the Territory of Iowa;

Was read a second time; and,

On motion of Mr. McMillan,

Was committed to a committee of the whole, and made the order of the day for Saturday next.

No. 26, H. R. file, An act in relation to the safe custody of persons arrested for crimes and misdemeanors;

Was read a second time; and,

On motion of Mr. Walworth,

Ordered to be engrossed and read a third time on to-morrow.

Mr. Hepner moved to take up the resolution authorizing the Chief Clerk to employ an additional Clerk.

Mr. Walworth moved to refer the same to a select committee of three;

Which was agreed to.

The Chair appointed Messrs. Walworth, Hepner and Robertson said commitee.

No. 27, H. R. file, A bill to prevent and punish gaming;

Was read a second time; and,

On motion of Mr. Robertson,

Was made the especial order of the day, in committee of the whole, for Monday next.

No. 29, H. file, An act regulating the keeping of stallions and jacks, and to improve the breed of horses;

Was read a third time, passed, and title agreed to.

The consideration of

No. 22, H. R. file, A memorial for a grant of land for a canal at each of the Rapids of the Mississippi;

Was resumed in committee of the whole, Mr. Berry in the chair; and,

After some spent therein, the committee rose and by their chairman reported the same back to the House with sundry amendments;

Which were concurred in.

Mr. Jay then moved to amend by striking out the words "on the west side of each of the rapids" in the 8th section;

Which was lost.

Mr. Hepner then moved to strike out the 8th section;

Upon which motion the yeas and nays were ordered;

Yeas 12, Nays 14.

Those who voted in the affirmative were,

Messrs. Andros,
Briggs,
Bunker,
Culbertson,
Felkner,
Hackleman,
Hepner,
Jay,
McMillan,
Rogers,
Walworth,
Speaker.

Those who voted in the negative were,

Messrs. Barton,
Berry,
Blair,
Brierly,
Goddard,
Lewis,
McCulloch,
Newell,
Robertson,
Sales,
Steele,
Swearingen,
Thornton,
Wilson.

So the motion was lost.

Mr. Jay moved to refer the same to a select committee consisting of one from each electoral district;

Which was agreed to.

The Chair appointed Messrs. Jay, Barton, Brierly Culbertson, Felkner, Hepner, Newell, Robertson, Rogers and Walworth said committee.

No. 11, C. file, An act to locate a Territorial road from Bennett's mills in Buchanan county, via the county seat of Delaware county to Olmstead's mills in said county;

Which was read a first time.

Mr. Jay asked and obtained leave to withdraw the account of T. H. Curts; when,

On motion of Mr. Rogers,

The House adjourned until to-morrow morning at 10 o'clock.

FRIDAY MORNING, JANUARY 6, 1843.

The House met pursuant to adjournment.

Mr. Robertson presented the petition of sundry citizens of Scott county, asking the incorporation of a hydraulic company; which,
On motion of Mr. Robertson,
Was referred to a select committe of three.
The Chair appointed Messrs. Robertson, Newell and Andros said committee.

Mr. Thornton presented the petition of sundry citizens of Muscatine county, asking the continuation of a certain Territorial road; which,
On motion of Mr. Thornton,
Was referred to the committee on roads.

Mr. Barton, from the committee on engrossed bills, reported that they have examined,
No. 28, H. R. file, An act for the encouragement of Agriculture and Domestic Manufactures;
And find the same to be correctly engrossed.

Mr. Brierly gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the town of Keokuk;
Also,
A bill to establish a Seminary of learning at the town of Nashville in the county of Lee.

Mr. Felkner gave notice that he would, on some future day, introduce a bill for the relief of Walter Butler.

Mr. Jay gave notice that he would, on some future day, ask leave to introduce a bill to prevent Sabbath breaking.

Mr. Steele, from the select committee, to whom was referred the petition and remonstrance of sundry citizens of Lee county, relative to a relocation of the county seat of said county, begs leave to report;
That they have had the same under consideration, and after carefully comparing and examining the same, and striking out all the names that they could ascertain were not elligible, both on the petition and remonstrance, they find that there is one hundred and eighty-six of a majority in favor of a relocation.
The committee, therefore, recommend the passage of the bill as reported by the committee; which,
On motion of Mr. Brierly,
Was laid on the table,
Mr. Rogers, on previous notice and leave granted, introduced

No. 30, H. R. file, A bill to amend an act to incorporate the city of Dubuque;
Which was read a first time.

No. 11, C. file, An act to locate a Territorial road from Bennett's mill in Buchanan county, via the county seat of Delaware, to Olmstead's mill in said county;
Which was read a second time.

No. 26, H. R. file, An act in relation to the safe custody of persons arrested for crimes and misdemeanors;
Was read a third time, passed and title agreed to.

No. 28, H. R. file, An act for the encouragement of Agriculture and Domestic Manufactures;
Was read a third time, passed, and title agreed to.

On motion of Mr. Brierly,
No. 10, H. R. file, A bill to relocate the county seat of Lee county; with the amendment pending, as also the report of the Delegation of said county made this morning;
Were taken from the table,
And the amendment pending when the bill was laid upon the table, being under consideration;
Upon which question the yeas and nays were ordered;
Yeas 8, Nays 18.

Those who voted in the affirmative were,
Messrs. Bunker,
Hepner,
McMillan,
Newell,
Sales,
Thornton,
Wilson.
Speaker.

Those who voted in the negative were,
Messrs. Andros,
Barton,
Berry,
Blair,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Jay,
Lewis,
McCulloch,
Robertson,
Rogers,
Steele,
Swearingen,
Walworth,
So the amendment was lost.

Mr. Hepner offered the following amendment to the 10th section:
"Provided, however, nothing in this act shall be so construed as to make it obligatory on the commissioners to make a relocation;"
Which was agreed to.

Mr. Sales moved further to amend by adding the following section:
Sec. —. That should the commissioners aforesaid proceed to relocate at any other point than at Ft. Madison, then the qualified voters of the county aforesaid, shall proceed to vote at the ensuing August election for the point selected by the commissioners, and Fort Madison,

and the place receiving the greatest number of legal votes shall be the seat of justice of said county.

Upon which the yeas and nays were ordered;

Yeas 12, Nays 14.

Those who voted in the affirmative were,

Messrs. Berry,
Briggs,
Bunker,
Felkner,
Hepner,
Jay,
McMillan,
Newell,
Sales,
Walworth,
Wilson,
Speaker.

Those who voted in the negative were,

Messrs. Andros,
Barton,
Blair,
Brierly,
Culbertson,
Goddard,
Hackleman,
Lewis,
McCulloch,
Robertson,
Rogers,
Steele,
Swearingen,
Thornton.

So the amendment was lost.

The question then recurring upon the passage of the bill as amended; and,

Upon which the yeas and nays were ordered;

Yeas 22, Nays 4.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Blair,
Brierly,
Briggs,
Bunker,
Culbertson,
Felkner,
Goddard,
Hackleman,
Lewis,
McCulloch,
Newell,
Robertson,
Rogers,
Sales,
Steele,
Swearingen.
Thornton,
Walworth,
Wilson.
Speaker.

Those who voted in the nagative were

Messrs. Berry,
Hepner,
Jay,
McMillan,

So the bill passed and the title was agreed to;

When,

On motion of Mr. Lewis,

The House adjourned until to-morrow morning at 10 o'clock.

SATURDAY MORNING, JANUARY 7, 1843.

The House met pursuant to adjournment.

Mr. Walworth presented the petition of sundry citizens of Cedar county, asking the alteration of a certain Territorial road; which,
On motion of Mr. Walworth,
Was refered to the Delegation from Cedar, Linn and Jones.

Mr. McCulloch from the committee on roads and highways, to whom was refered the petition of sundry citizens of Lee county, asking the location of a certain Territorial road; reported,
No. 31, H. R. File, A bill to establish a Territorial road in Lee county;
Which was read a first time.

Mr. Robertson, from the Select committee, to whom was referred the petition of sundry citizens of Scott county, asking s charter for a Hydraulic company, reported
No. 32, H. R. file, A bill to incorporate the Scott county Hydraulic company;
Which was read a first time; and,
On motion of Mr. Robertson,
Was ordered to be printed.

Mr. Felkner from the committee on Public Buildings, to whom was referred the petition of sundry citizens of Iowa City and vicinity, in relation to the scrip issued on account of the Capitol, also a communication from the Territorial Agent on the same subject, have had the same under consideration, snd after mature reflection, have agreed upon the following report:

Your committee are disposed to believe that the Territorial Agent acted in strict accordance with what he conceived to be his duty, in refusing to receive the scrip issued in the year 1841, in payment of debts due said office, and contracted previous to that year, as in his opinion such a course would enable him to prosecute the work on the Capitol with greater dispatch than any other that he could adopt; which, in the opinion of your committee, is not altogether improbable, believing, however, that it was consulting the interests of the Territory, at the expense of the holders of said scrip. But in as much as the Capitol is now enclosed and the necessary rooms fitted up for the accommodation of the Legislature.

Your committee believe that a sense of justice to the holders of said scrip, some of whom have already waited from twelve to fifteen months for their pay, would require that immediate steps be taken for the redemption of said scrip, and that the creditors of the Territory, who so generously stepped forward to assist in the prosecution of the work on the Capitol in the year 1841, and without whose aid the work would probably have stopped, should thereby be afforded an opportunity of making the scrip which they hold against the Territory available, your committee, therefore, recommend the passage of the following joint resolution.

Resolved, by the Council and House of Representatives of the Territory of Iowa, That the Territorial Agent be, and that he is hereby authorized and required to receive all scrip issued by him on account of the Capitol in the year 1841, in payment of all debts now due the office of said Agent;

Which was read:

Mr. Jay offered the following amendment:

Your committee cast no censure upon the Agent for the course taken by him in relation to the Scrip issued in 1841. On the contrary, the committee believe that it was the only course which he could have adopted to carry on the work on the Capitol; neither do the committee believe that the citizens of Iowa City, or Johnson county, have been injured by the action of the Agent as set forth in their petition. On the contrary, the success which has attended the course adopted, has increased the value of property greatly above any temporary inconvenience which may have been felt by individuals;—when,

On motion of Mr. Rogers,

The whole subject was laid on the table.

Mr. Bunker moved to print said report;

Upon which motion the yeas and nays were ordered;

Yeas 9, Nays 20.

Those who voted in the affirmative were,

Messrs. Bunker,
Lewis,
McMillan,
Newell,
Robertson,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Barton,
Berry,
Blair,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Jay,
McCulloch,
Rogers,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Speaker.

So the motion to print was lost.

The following message was then received from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—I am directed to inform the House that the Council have passed

No. 21, C. file, An act relating to the office of Recorder of Deeds;

No. 22, C. file, An act to locate a Territorial road from Cascade, in Dubuque county, to the mouth of Tete de Morts in Jackson county;

No. 23, C. file, An act to relocate a part of a Territorial road running from Ft. Madison, in Lee county, to Fairfield, in Jefferson county;

In which, the concurrence of the House is requested.

No. 30, H. R. file, A bill to amend an act to incorporate the City of Dubuque;

Was read a second time; and

On motion of Mr. Rogers,

Was ordered to be engrossed and read a third time on Monday next.

No. 11, C. file, A bill to locate a Territorial road from Bennett's mill, in Buchanan county, via. the county seat of Delaware county, to Olmstead's mill in said county;

Was read a third time, passed and title agreed to.

No. 25, H. R. file, A bill organizing a Board of County Commissioners in each county in the Territory of Iowa;

Being the order of the day, was considered in committee of the whole, Mr Brierly in the chair; and,

After some time spent therein, the committee rose, and by their chairman reported progress, and asked leave to sit again; which was granted.

On motion of Mr. Rogers,

No. 23, H. R. file, A bill to repeal the charter of the Miners' Bank of Dubuque, and to provide for the winding up the affairs of the same;

Was taken from the table.

Mr. Hepner moved to refer the same to the Committee on the Judiciary;

Upon which the yeas and nays were ordered;

Yeas 10, Nays 16.

Those who voted in the affirmative were,

Messrs. Berry,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
McCulloch,
Rogers,
Swearingen,
Speaker.

Those who voted in the negative were,

Messrs. Andros,
Barton,
Blair,
Brierly,
Briggs,
Bunker,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Thornton,
Walworth,
Wilson.

So the motion was lost.

Mr. Walworth moved to refer the same to a select committee of one from each electoral district.

Upon which the yeas and nays were ordered;

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Berry,
Blair,
Briggs,
Bunker,
Felkner,
Goddard,
Hackleman,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Swearingen,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Brierly,
Culbertson,
Hepner,
McCulloch,
Rogers,
Speaker.

So the motion was agreed to.

The following message was received from the Council by Mr. Fales their Secretary:

Mr. Speaker—The Council have passed

No. 17, C. file, An act relative to divorce, alimony and other purposes;

Also,

No. 20, C. file, An act to change the time of holding the district court, in the second judicial district;

In which I am directed to ask the concurrence of the House.

No. 21, C. file, An act relating to the office of Recorder of Deeds.

No. 22, C. file, A bill to locate a Territorial road from Cascade, in Dubuque county, to the mouth of Tete de Morts, in Jackson county.

No. 23, C. file, A bill to relocate a part of a Territorial road running from Ft. Madison, in Lee county, to Fairfield, in Jefferson county.

No. 17, C. file, A bill relative to divorce, alimony, and other puposes.

No. 20, C. file, A bill to change the time of holding the district court in the second judicial district;

Were severally read a first time.

The Chair announced the following select committee of one from each electoral district:

Messrs. Walworth, Andros, Barton, Culbertson, Felkner, Goddard, Hepner, Jay, McMillan and Newell;

To whom was referred

No. 23, H. R. file, A bill to repeal the charter of the Miners' Bank of Dubuque and to provide for winding up the affairs of the same;

Mr. Walworth moved

That said committee have power to send for such persons and papers as may be had in Iowa City, relative to that subject;

Which was agreed to.

Mr. Felker on previous notive and leave granted, introduced

No. 34, H. R. file, A bill for the relief of Walter Butler;

Which was read a first time; when,

On motion of Mr. Mewell,

The House adjourned until Monday morning 10 o'clock.

MONDAY MORNING, JANUARY 9, 1843.

The House met pursuant to adjournment.

Mr. Wilson presented the petition of sundry citizens of the town of Salem, asking an alteration in their town charter; which,
On motion of Mr. Wilson,
Was referred to the delegation from Henry county.

Mr. Culbertson presented the petition of sundry citizens of Jefferson county, asking the alteration of a certain Territorial road; which,
On motion of Mr. Culbertson,
Was referred to the committee on roads and highways.

Mr. Culbertson gave notice that he would, on some future day, ask leave to introduce a bill to amend the act to district this Territory in to electoral districts.

Mr. Robertson gave notice that he would, on some future day, ask leave to introduce a bill to abolish capital punishment in the Territory of Iowa.

Mr. Newell offered the following:

Resolved, That the standing committee on military affairs, be instructed to enquire into the expediency of reporting a bill so to amend the existing laws, for the organzation and discipline of the militia of this Territory.

1st. The training of the rank and file of the infantry in time of peace shall be dispensed with.

2d. All able bodied citizens over the age of eighteen and under the age of forty-five, shall be kept regularly enrolled.

3d. The infantry shall be kept regularly organized and officered.

4th. The raising of volunteer corps shall be encouraged by apppropriate privileges and immunities.

5th. Division boards of inspection shall be appointed, whose duty it shall be to make periodical examinations with regard to the proficiency of the officers of their respective divisions, in the military tactics, and to give certificates of proficiency to such officers as shall be qualified for actual service.

6th. Such provision shall be made for holders of such certificates, as will tend to encourage the study of military tactics among the whole body of officers.

Which was adopted.

Mr. Rogers offered the following:

Resolved, That the select committee who have in charge the investigation of the affairs of the Miners' Bank of Dubuque, be instructed to report by to-morrow morning.

Mr. Andros moved to amend, by striking out the words "to-morrow morning" in the fourth line, and inserting "on Saturday next;"

Upon which the yeas and nays were ordered;

Yeas 15; Nays 10.

Those who voted in the affirmative were,

Messrs. Andros,
Blair,
Bunker,
Goddard,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Berry,
Briggs,
Brierly,
Culbertson,
Felkner,
Hackleman,
Hepner,
McCulloch,
Rogers,
Speaker.

So the amendment was agreed to.

The question then recurred upon the adoption of the resolution as amended; and,

Upon which the yeas and nays were ordered;

Yeas 15; Nays 10.

Those who voted in the affirmative were,

Messrs. Andros,
Blair,
Bunker,
Goddard,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Berry,
Brierly,
Briggs,
Culbertson,
Felkner,
Hackleman,
Hepner,
McCulloch,
Rogers.
Speaker.

So the resolution as amended was adopted.

Mr. Rogers gave notice that he would, on some future day, ask leave to introduce a joint resolution for the adjournment of the Legislature on Monday next.

Mr. Lewis, from the committee on enrolled bills, reported that the committee on the 6th instant laid before the Governor for his approval:

A joint resolution authorizing the committee on printing to administer oaths and examine witnesses.

Also,

An act to change the name of Philip Roclure.

Also,
A joint resolution relative to Iowa manufactures.

Mr. Walworth, from the committee, consisting of the delegation from Cedar, Linn and Jones, to whom was referred the petition of sundry citizens of Cedar, Jones and Linn, reported

No. 35, H. R. file, A bill to relocate a part of a Territorial road leading from Davenport in Scott county, to Marion in Linn county;

Which was read a first time.

Mr. Brierly, from the select committee, to whom was referred the petition of sundry citizens of Lee county, asking a charter to construct a mill dam, &c., reported

No. 36, H. R. file, A bill to authorize Isaac R. Campbell and company to construct a dam across the Des Moines river;

Which was read a first time.

No. 31, H. R. file, A bill to establish a Territorial road in Lee county; was read a first time; and,

On motion of Mr. McCulloch,

Was ordered to be engrossed and read a third time to-morrow.

No. 34, H. R. file, A bill for the relief of Walter Butler;

Was read a second time; and,

On motion of Mr. Felkner,

Was committed to the committee of the whole, and made the order of the day for Thursday next.

No. 17, C. file, A bill relative to divorce, alimony and other purposes;

Was read a second time; and,

On motion of Mr. Wilson,

Committed to the committee of the whole, and made the order of the day for to-morrow.

No. 20, C. file, A bill to change the time of holding the district court in the second judicial district;

Was read a second time; and,

On motion of Mr. Walworth,

Was laid upon the table subject to the order of the House.

No. 21, C. file, An act relating to the office of Recorder of Deeds;

Was read a second time; and,

On motion of Mr. McMillan,

Was referred to the committee on the Judiciary.

No. 22, C. file, A bill to locate a Territorial road from Cascade in Dubuque county, to the mouth of Tete des Mort in Jackson county;

Was read a second time; and,

On motion of Mr. Lewis,

Was ordered to be read a third time on to-morrow.

No. 23, C. file, A bill to relocate a part of the Territorial road running from Ft. Madison in Lee county, to Fairfield in Jefferson county;
Was read a second time; and,
On motion of Mr. Culbertson,
Ordered to be read a third time on to-morrow.

No. 21, H. R. file, An act to legalize the acts of George Duden, a justice of the peace;
Was read a third time; and,
On motion of Mr. Lewis,
Was referred to a select committee.
The Chair appointed Messrs. Lewis, McMillan and Robertson, said committee.

No. 27, H. R. file, A bill to prevent and punish gaming;
Being the order of the day, the House resolved itself into committee of the whole for the consideration of the same, Mr. Briggs in the chair; and,
After some time spent therein, the committee rose, and by their chairman reported progress, and asked leave to sit again;
Which was granted; when,
On motion of Mr. Lewis,
The House adjourned until to-morrow morning at 10 o'clock.

TUESDAY MORNING, JANUARY 10, 1842.

The House met pursuant to adjournment.

Mr. Berry presented the petition of sundry citizens of Jones, Cedar and Johnson counties, asking that a certain county road may be made a Territorial road, and that the same may be continued, &c.; which
On motion of Mr. Berry,
Was referred to the committee on roads and highways.

Mr. Bunker presented the petition of sundry citizens of Washington county, remonstrating against the location of a certain Territorial road; which
On motion of Mr. Bunker,
Was referred to a select committee of three.
The Chair appointed Messrs. Bunker, Newell and Culbertson, said committee.

Mr. Wilson presented the petition of sundry citizens of Henry county, asking the relocation of a certain Territorial road; which,

On motion of Mr. Wilson,
Was referred to the delegation from Henry county.

Mr. Thornton presented the petition of sundry citizens of Muscatine county, asking the location of a certain road; which,
On motion of Mr. Thornton,
Was referred to the committee on roads and highways.

Mr. Swearingen offered the following:
Resolved, by the Council and House of Representatives of the Territory of Iowa, That the Secretary of said Territory be, and he is hereby authorized to receive sealed proposals until the 4th of February next, from the proprietors of newspapers within this Territory, for printing the Laws, passed at the present session, and that he lay the same before this Legislature;
Which was read a first time; and,
On motion of Mr. Walworth,
The 42d Rule was again suspended and the resolution read a second and third time.

Mr. Hepner moved
To amend by inserting the words "and Journals" after the word "Laws" in the seventh line;
Which was lost.
Mr. Felkner moved
To lay the resolution on the table until the committee on printing made their report;
Which was agreed to.

Mr. Brierly offered the following:
Resolved, by the Council and House of Representatives of the Territory of Iowa, That our delegate in Congress be instructed to use his influence to have that part of the mail route leading from the city of Burlington, in the county of Des Moines, to Keokuk, in the county of Lee, which lays between Keokuk and Montrose, so changed as to have the same come by the way of Nashville, and to have a Post Office established at the aforesaid town of Nashville.

Resolved, That his Excellency the Governor, be requested to forward one copy of this resolution to the Hon. A. C. Dodge, our delegate in Congress, and one to the Post Master General as early as possible;
Which was read a first time.

Mr. Felkner offered the following:
Resoved, That the committee on roads and highways be instructed to enquire into the expediency of passing a law, authorizing the County Commissioners of the several counties in this Territory, to alter or change Terrritorial roads in their respective counties; which,
On motion of Mr. Felkner,
Was laid on the table.

Mr. Rogers offered the following:

Resolved, That the resolution giving the select committee, who have in charge the investigation of the affairs of the Miners Bank, until Satuarday to report, be, and the same is hereby recinded.

Mr. Newell moved

To lay the resolution on the table.

Upon which motion the yeas and nays were ordered;

Yeas 22, Nays 4.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Berry,
Blair,
Brierly,
Briggs,
Bunker,
Felkner,
Goddard,
Hackleman,
Jay,
Lewis,
McCulloch,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Culbertson,
Hepner,
Rogers,
Speaker.

So the motion was agreed to.

Mr. Rogers introduced the following:

Resolved, The House (the Council concurring) will adjourn on Monday next; which

On motion of Mr. Jay,

Was laid upon the table.

Mr. Newell offered the following:

Resolved, That the standing committee on townships and county boundaries, be instructed to enquire into the expediency of organizing into counties, prospectively, the country included within the limits of the ideal line, to be established between the White settlements and the Sac and Fox Indians;

Which was agreed to.

Mr. Lewis from the select committee, consisting of the delegation from Van Buren county, to whom was referred

No. 21, H. R. file, An act to legalize the acts of George Duden a justice of the peace;

Reported the same back to the House with amendment;

Which was agreed to; when

On motion of Mr. Lewis,

The same was ordered to be engrossed and read a third time to-morrow.

Mr. Robertson, on previous notice and leave granted, introduced

No. 39, H. R. file, A bill to amend an act entitled an act, defining crimes and punishments;

Which was read a first time.

Mr. Andros, on previous notice and leave granted, introduced

No. 40, H. R. file, An act to legalize the acts of the Sheriff of Clayton county;

Which was read a first time.

Mr. Lewis, on previous notice and leave granted, introduced

No. 41, H. R. file, An act to legalize the acts of Cyrus Gibson a Justice of the Peace, of Van Buren county;

Which was read a first time.

No. 32, H. R. file, A bill to incorporate the Scott County Hydraulic Company;

Being the order of the day, the House resolved itself into committee of the whole, Mr. Bunker in the chair, and,

After some time spent therein, the committee rose, and, by their chairman, reported the same back to the House with amendment;

Which was concurred in; and,

On motion of Mr. Walworth,

Was recommitted to the same committee who reported the bill.

No. 35, H. R. file, A bill to relocate a part of a Territorial road, leading from Davenport, in Scott county, to Marion, in Linn county;

Was read a second time, and,

On motion of Mr. Walworth,

Was ordered to be engrossed and read a third time to-morrow.

No. 36, H. R. file, A bill to authorize Isaac R. Campbell, & co., to construct a dam across the Des Moines river;

Was read a second time; and,

On motion of Mr. Hepner,

Was referred to the committee on the judiciary.

No. 22, C. file, An act to locate a Territorial road from Cascade, in Dubuque county, to the mouth of Tete de Mort, in Jackson county;

Was read a third time, passed, and title agreed to.

No. 23, C. file, A bill to relocate a part of a Territorial road running from Ft. Madison, in Lee county, to Fairfield, in Jefferson county;

Was read a third time, passed, and title agreed to.

No. 17, C. file, A bill relative to divorce, alimony, and other purposes;

Being the order of the day, was considered in committee of the whole, Mr. Culbertson in the chair; and

After some time spent therein, the committee rose, and by their chairman reported the same back to the House without amendment;

Which was concurred in.

Mr. Lewis moved

To amend by adding to the 16th section "Provided, That nothing in this act shall, in any wise, effect the petitions for divorces and alimony, now pending in the courts of this Territory;"

Which was agreed to; and

On motion of Mr. McMillan,

Ordered to be read a third time to-morrow; when

On motion of Mr. Rogers,

The House adjourned until 10 o'clock to-morrow morning.

WEDNESDAY MORNING, JANUARY 11, 1843.

The House met pursuant to adjournment.

Mr. Thornton presented the petition of sundry citizens of Muscatine county, asking that a charter be granted to S. H. Colyer & Henry de Camp, to keep a ferry at Wyoming in said county; which,

On motion of Mr. Thornton,

Was referred to a select committee of one from each of the counties of Muscatine, Scott and Johnson.

The Chair appointed Messrs. Thornton, Robertson and Felkner, said committee.

Mr. Walworth, from the committee on engrossed bills, reported that they have examined

No. 30, H. R. file, A bill to amend an act to incorporate the city of Dubuque.

No. 31, H. R. file, A bill to establish a Territorial road in Lee county.

No. 35, H. R. file, A bill to relocate a part of a Territorial road, leading from Davenport in Scott county, to Marion in Linn county.

No. 21, H. R. file, An act to legalize the acts of George Duden, a justice of the peace;

And find the same to be correctly engrossed.

Mr. Robertson, from the committee, to whom was referred

No. 32, H. R. file, A bill to incorporate the Scott county hydraulic company;

Reported the same back to the House with amendments, namely, insert the names of James Davenport, Egbert S. Barrows and Jabez A. Burchard, jun., after the name of "Newcomb," in the third line of first section.

Also add to the 10th section the following:

Provided, That the said company shall commence the works contemplated by this act, in two years, and complete the same in ten years after the passage of the same.

Mr. Walworth moved

To amend the 10th section by striking out the amendment proposed by said committee, to said section, and inserting the following:

"Provided, That all the rights, privileges and immunities, created by this act, shall cease and be utterly void, unless the sum of dollars shall be subscribed and actually paid in, of the capital stock of said company within months from the date of this act.

Which was agreed to.

Mr. Walworth then moved

To fill the first blank with $10,000;

Which was agreed to.

Mr. Robertson moved

To fill the second blank with 24.

Which was agreed to; when,

On motion of Mr. Robertson,

Said bill was ordered to be engrossed and read a third time on to-morrow.

The following message was then received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have passed

No. 14, C. file, An act to provide for changing the venue in civil and criminal cases;

Also, with amendments

No. 26, H. R. file, An act in relation to the safe custody of persons arrested for crimes and misdemeanors;

In which the concurrence of the House is requested.

Mr. McCulloch, from the committee on roads and highways, to whom was referred the petition of sundry citizens of Muscatine county, reported

No. 42, H. R. file, A bill to locate a Territorial road from Moscow, so as to intersect a road leading from Bloomington to Iowa City, at or near Hudson in Muscatine county;

Which was read a first time.

Mr. Lewis, from the committee to whom was referred the petition of sundry citizens of Van Buren county, reported

No. 43, H. R. file, An act to donate the public landing in the town of Bentonsport for mill purposes;

Which was read a first time.

Mr. Felkner, from the committee, to whom was referred the petition of sundry citizens of Johnson county in relation hereto, reported

No. 44, H. R. file, A bill to authorize the County Commissioners of Johnson county to vacate a part of the Territorial road, leading from Wyoming to Iowa City, also, to relocate a part of said road;

Which was read a first time.

No. 38, H. R. file, A joint resolution instructing our delegate in Congress to procure the establishment of a Post Office, &c.;

Was read a second time; and

On motion of Mr. Hepner,

The word "instruct," in the 3d line was stricken out, and the word "requested" inserted, in lieu thereof; when

On motion of Mr. Brierly,

Said resolution was ordered to be engrossed and read a third time to-morrow.

No. 39, H. R. file, A bill to amend an act entitled an act, defining crimes and punishments;

Which was read a second time; and

On motion of Mr. Mewell,

Was referred to the committee on the judiciary.

No. 40, H. R. file, An act to legalize the acts of the Sheriff of Clayton county;

Was read a second time; and,

On motion of Mr. Andros,

Was ordered to be engrossed and read a third time to-morrow.

No. 41, H. R. file, An act to legalize the acts of Cyrus Gibson, a Justice of the Peace, in and for Van Buren county;

Was read a second time; and

On motion of Mr. Lewis,

Was ordered to be engrossed and read a third time to-morrow.

No. 17, C. file, A bill relative to divorce, alimony and other purposes;

Was read a third time.

Mr. Lewis moved

To amend the 7th section, by inserting the words "issued by the Clerk of the court, where the petition is pending," after the words "pro confesso," in the 4th line of said section;

Which was agreed to.

The question then recurring upon the passage of the bill, was put;

Carried, and title agreed to.

No. 21, H. R. file, An act to legalize the acts of George Duden, a Justice of the Peace;

Was read a third time.

Mr. Jay moved

To refer said bill to the delegation from Van Buren county;

Which was lost.

The question was then taken upon the passage of the bill;

Carried, and title agreed to.

The following message was received from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—The Council have passed

No. 25, C. file, An act relative to the time of taking effect of the laws of the present session.

Also, with amendments

No. 10, H. R. file, A bill to relocate the county seat of Lee county; and

No. 28, H. R. file, An act to encourage Agriculture and Domestic Manufactures;

In all of which, the concurrence of the House is requested.

No. 31, H. R. file, A bill to establish a Territorial road in Lee county;

Was read a third time, passed, and title agreed to.

No. 35, H. R. file, A bill to relocate a part of a Territorial road leading from Davenport, in Scott county, to Marion, in Linn county;

Was read a third time, passed and title agreed to.

On motion of Mr. Jay, the consideration of

No. 27, H. R. file, A bill to prevent and punish gaming;

Was resumed in committee of the whole, Mr. Briggs in the chair;

After some time spent therein, the committee rose, and, by their chairman, reported progress, and asked leave to sit again;

Which was granted.

Mr. Rogers moved

That the House adjourn until to-morrow morning at 10 o'clock;

Which was lost; when,

On motion of Mr. Robertson,

The House adjourned.

TWO O'CLOCK, P. M.

Mr. Briggs moved

A call of the House, which was had.

The absent members appearing in their seats

On motion of Mr. Lewis,

The further call was suspended, when the consideration of

No. 27, H. R. file, A bill to prevent and punish gaming;

Was again resumed in committee of the whole, Mr. Briggs in the chair;

After some time spent therein, the committee rose and by their chairman reported the bill back to the House with an amendment; when,

On motion of Mr. Mewis,

The bill was laid upon the table subject to the order of the House.

No. 18, C. file, An act for the limitation of actions and for avoiding vexatious law suits;

Was read a first time.

Mr. McMillan moved

That fifty copies of said bill be printed;

Which was not agreed to.

Mr. Rogers then moved

That forty-five copies of said bill be printed;

Which was agreed to.

No. 24, C. file, A bill to authorize evidence by the oath of parties;

Also,

No. 25, C. file, An act relative to the time of taking effect of the laws of the present session;

Were severally read a first time.

No. 10, H. R. file, A bill to relocate the county seat of Lee county;

Being returned from the Council with sundry amendments;

Which were read and severally concurred in by the House.

No. 28, H. R. file, An act for the encouragement of Agriculture and Domestic Manufactures;

Being returned from the Council with amendments;

Which were read and severally concurred in by the House.

On motion of Mr. Felkner,

No. 33, H. R. file, A joint resolution authorizing the Territorial Agent to receive the outstanding Scrip of 1841;

Was taken from the table, and read a second time.

Mr. Hepner moved

To recommit the resolution with instructions to report a bill to dispense with the services of the Director and Superintendant of the Penitentiary; also the services of the Superintendant of public buildings at Iowa City; and so provide that it shall be the duty of the Territorial Agent to pay the debts which have occurred in the erection of the Capitol, out of the proceeds arising from the sale of lots in Iowa City.

Upon which question the yeas and nays were ordered;

Yeas 10, Nays 15.

Those who voted in the affirmative were,

Messrs. Blair, Bunker, Hackleman, Hepner, Lewis, McMillan, Newell, Sales, Wilson, Speaker.

Those who voted in the negative were,

Messrs. Andros, Barton, Berry, Brierly, Briggs, Culbertson, Felkner, Goddard, Jay, McCulloch, Rogers, Steele, Swearingen, Thornton, Walworth.

So the motion was lost.

Mr. Felkner then moved

That the resolution be engrossed and read a third time to-morrow;

Which was agreed to.

On motion of Mr. Jay,

The report of the committee on public buildings, relative to the Scrip of 1841,—as also the amendment to said report, pending at the time the whole subject was laid upon the table,

Was taken up.

The chair having decided that the amendment to the report was in order.

Mr. Felkner moved

An appeal from the decision of the chair;

Which was had.

Upon which question the yeas and nays were ordered;

Yeas 16, Nays 9.

Those voting to sustain the chair, were,

Messrs. Blair,
Bunker,
Jay,
Lewis,
McMillan,
Sales,
Steele,
Walworth,
Wilson.

Those voting against sustaining the decision of the chair, were,

Messrs. Andros,
Barton,
Berry,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
McCulloch,
Newell,
Robertson,
Rogers,
Swearingen,
Thornton,

So the decision of the chair was overruled.

Mr. Sales moved

To lay the report on the table;

Which was lost; when,

On motion of Mr. Newell,

The House adjourned until to-morrow morning at 10 o'clock.

THURSDAY MORNING, JANUARY 12, 1843.

The House met pursuant to adjournment.

Mr. Hackleman moved to reconsider the vote taken upon the passage of

No. 17, C. file, A bill relative to divorce, alimony, and other purposes;

Which was agreed to; when,
On motion of Mr. McMillan,
The bill was recommitted to a select committe of three.
The Chair appointed Messrs. McMillan, Hackleman and Rogers, said committee.

Mr. Rogers presented the petition of sundry citizens of Iowa Territory, asking the passage of a law exempting 500 sheep from execution and taxation; which,
On motion of Mr. Rogers,
Was referred to the committee on manufactures.

Mr. Felkner presented the petition of sundry citizens of Washington county, asking that a certain portion of Washington county be attached to Johnson county; which,
On motion of Mr. Felkner,
Was referred to the delegation from Washington and Johnson counties.

Mr. Jay, from the select committee of one from each electoral district, to whom was referred
No. 22, H. R. file, Memorial for a grant of land for a canal at each of the Rapids of the Mississippi;
Reported the same back to House without amendment.
Mr. Hepner moved to strike out the 8th paragraph.

Mr. Jay moved to amend the motion, so as to strike out the words "on the west side of each of the rapids;"
Which was lost.

The original motion was then put; and,
Upon which question the yeas and nays were ordered;
Yeas 8, Nays 16.

Those who voted in the affirmative were,
Messrs. Andros,
Briggs,
Culbertson,
Felkner,
Hackleman,
Hepner,
Rogers,
Sales.

Those who voted in the negative were,
Messrs. Barton,
Berry,
Blair,
Brierly,
Bunker,
Goddard,
Jay,
Lewis,
McCulloch,
McMillan,
Newell,
Robertson,
Steele,
Swearingen,
Thornton,
Wilson.

So the motion was lost; when,

On motion of Mr. Newell,
The memorial was ordered to be engrossed and read a third time to-morrow.

Mr. Barton, from the committee on engrossed bills, reported that they have examined,

No. 32, H. R. file, A bill to incorporate the Scott county Hydraulic company;

Also,

No. 33, H. R. file, A joint resolution authorizing the Territorial Agent to receive the outstanding scrip of 1841, &c.

And find them correctly engrossed.

Mr. Lewis, from the committee on enrolled bills, reported that they have examined

An act for the encouragement of Agriculture and Domestic Manufactures; and

An act to relocate the county seat of Lee county;

And find the same to be correctly enrolled.

Mr. Hackleman, upon previous notice and leave granted, introduced

No. 45, H. R. file, A bill to provide for assessing and collecting County and Territorial revenue;

Which was read a first time; and,

On motion of Mr. Jay,

Ordered, That fifty copies of the same be printed.

Mr. Jay, upon previous notice and leave granted, introduced

No. 46, H. R. file, A bill for the prevention of certain immoral practices;

Which was read a first time; and,

On motion of Mr. Bunker,

Fifty copies of the same was ordered to be printed.

The following message was then received from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—The Council have passed

No. 26, C. file, An act to amend an act to incorporate the Washington Manufacturing Company.

No. 27, C. file, An act to change the name of McCarverstown in Henry county, to Lowell.

In all of which I am directed to ask the concurrence of the House.

I am directed to present for your signature

An act to relocate a part of a Territorial road running from Ft. Madison, in Lee county, to Fairfield, in Jefferson county.

Also,

An act to locate a Territorial road from Cascade, in Dubuque county, to the mouth of Tete de Morts, in Jackson county.

No. 24, C. file, A bill to authorize evidence by the oath of parties;

Was read a second time; and,

On motion of Mr. Rogers,

Referred to the Committee on the Judiciary.

No. 25, C. file, An act relative to the time of taking effect of the laws of the present session;

Was read a second time; when,

On motion of Mr. Rogers,

The bill was laid upon the table subject to the order of the House.

No. 43, H. R. file, An act to donate the public landing in the town of Bentonsport for mill purposes;

Was read a second time; when,

On motion of Mr. Lewis,

The same was committed to a committee of the whole House, and made the special order of the day for Monday next.

No. 44, H. R. file, A bill to authorize the County Commissioners to vacate a part of the Territorial road leading from Wyoming to Iowa City, also, to relocate a part of said road;

Which,

On motion of Mr. Lewis,

Was laid on the table.

No. 42, H. R. file, A bill to locate a Territorial road from Moscow so as to intersect a road leading from Bloomington to Iowa City, at or near Hudson, in Muscatine county;

Was read a second time; and,

On motion of Mr. Thornton,

The same was ordered to be engrossed and read a third time to-morrow.

No. 32, H. R. file, A bill to incorporate the Scott County Hydraulic Company; was read a third time,

And on the question, shall the bill pass?

The yeas and nays were ordered;

Yeas 15, Nays 9.

Those who voted in the affirmative were,

Messrs. Barton,
Blair,
Brierly,
Bunker,
Goddard,
Jay,
Lewis,
Newell,
Robertson,
Sales,
Steele,
Swearingen,
Thornton.
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Berry,
Briggs,
Culbertson,
Felkner,
Hackleman,
Hepner,
McMillan,
Rogers,

So the bill passed and the title was agreed to.

No. 33, H. R. file, A joint resolution authorizing the Territorial Agent to receive the outstanding scrip of 1841;

Was read a third time; when,

On motion of Mr. Walworth,

The resolution was laid upon the table, subject to the order of the House.

No. 34, H. R. file, A bill for the relief of Walter Butler;

Being the order of the day, was considered in committee of the whole, Mr. Felklner in the chair; and,

After some time spent therein, the committee rose, and by their chairman reported the same back to the House without amendment, and asked leave to sit again; which was granted.

Mr. Walworth moved to take from the table,

No. 2, H. R. file, A bill to repeal an act, entitled an act, relative to officers of the Legislative Assembly;

Which was agreed to; and,

On motion of Mr. Walworth,

The same was referred to a select committee of three; and,

The Chair appointed Messrs. Walworth, Lewis and Hepner, said committee.

Mr. Thornton, on previous notice and leave granted, introduced

No. 47, H. R. file, A bill to allow George Bumgardner and others further time to file in the Secretary's office, a plat of a survey of a certain Territorial road;

Which was read a first time.

Mr. Bunker moved to take from the table,

No. 20, C. file, A bill to change the time of holding the district court in the second judicial district;

Which was agreed to.

Mr. Bunker offered the following amendment as an additional section:

SEC. 3. This act shall take effect and be in force from and after its passage.

Which was adopted; and the bill,

On motion of Mr. Bunker,

Ordered to a third reading to-morrow.

On motion of Mr. Sales,

The House adjourned until to-morrow morning at 10 o'clock.

FRIDAY MORNING, JANUARY 13, 1843.

The House met pursuant to adjournment.

On motion of Mr. Hackleman,
Leave of absence was granted to Mr. Robertson.

Mr. Thornton gave notice that he would, on some future day, ask leave to introduce a bill for the relief of Denton J. Snyder, Sheriff of Muscatine county.

Mr. McMillan, from the select committee, to whom was referred
No. 17, C. file, A bill relative to divorce, alimony and other purposes;
Reported the same back to the House with the following amendment:
Strike out the words "one year," in the second line of the 3d section, and insert "six months."

Mr. Barton, from the committee on engrossed bills, reported that they had examined,
No. 41, H. R. file, An act to legalize the acts of Cyrus Gibson, a Justice of the Peace, in and for Van Buren county.
No. 40, H. R. file, An act to legalize the acts of the Sheriff of Clayton county.
No. 22, H. R. file, A memorial for a grant of land for a canal at each of the Rapids of the Mississippi.
No. 38, H. R. file, A joint resolution requesting our Delegate in Congress to procure the establishment of a post office, and for other purposes.
No. 42, H. R. file, A bill to locate a Territorial road from Moscow, so as to intersect a road leading from Bloomington to Iowa City, at or near Hudson in Muscatine county;
And find the same to be correctly engrossed.

Mr. Walworth, from the select committee, to whom was referred
No. 2, H. R. file, A bill to repeal an act entitled an act, relative to officers of the Legislative Assembly;
Reported the same back to the House with an amendment.

Mr. Lewis, from the committee on revision, reported
No. 48, H. R. file, A bill providing for and regulating general elections in this Territory;
Which,
On motion of McMillan,
Was read a first time by its title; and,

On motion of Mr. McMillan,

Fifty copies of the same was ordered to be printed.

No. 47, H. R. file, A bill to allow George Bumgardner and others further time, to file in the Secretary's office a plat of a survey of certain Territorial road;

Which was read a second time; and,

On motion of Mr. Lewis,

Ordered to be engrossed and read a third time to-morrow.

No. 18, C. file, A bill for the limitation of actions and for avoiding vexatious law suits;

Was read a second time; and,

On motion of Mr. Rogers,

The same was ordered to lie on the table.

No. 20, C. file, An act to change the time of holding the district court in the second judicial district;

Was read a third time, passed and title agreed to.

No. 22, H. R. file, Memorial for a grant of land for a canal at each of the rapids of the Mississippi;

Was read a third time.

Mr. Walworth moved to refer the same to a select committee.

Upon which the yeas and nays were ordered;

Yeas 15; Nays 10.

Those who voted in the affirmative were,

Messrs. Andros,
Berry,
Briggs,
Bunker,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Jay,
McMillan,
Rogers.
Sales,
Walworth,
Speaker.

Those who voted in the negative were,

Messrs. Barton,
Blair,
Brierly,
Lewis,
McCulloch,
Newell,
Steele,
Swearingen,
Thornton,
Wilson.

So the motion was agreed to.

The Chair appointed Messrs. Walworth, Brierly and Goddard, said committee.

No. 38, H. R. file, A joint resolution requesting our Delegate in Congress to procure the establishment of a post office, and for other purposes;

Was read a third time; and,

On motion of Mr. Brierly,

Was referred to the delegation from Lee county.

No. 40, H. R. file, An act to legalize the acts of the Sheriff of Clayton county;

Was read a third time, passed and title agreed to.

No. 41, H. R. file, An act to legalize the acts of Cyrus Gibson a Justice of the Peace, of Van Buren county;

Was read a third time; and,

On motion of Mr. Lewis,

Was referred to a select committee.

The Chair appointed Messrs. Lewis, McMillan and Hepner, said committee.

No. 42, H. R. file, A bill to locate a Territorial road from Moscow, so as to intersect a road leading from Bloomington to Iowa City, at or near Hudson in Muscatine county;

Was read a third time, passed and title agreed to.

No. 25, H. R. file, A bill organizing a Board of County Commissioners in each county in the Territory of Iowa;

Being the order of the day, the House resolved itself into committee of the whole for the consideration of the same, Mr. Goddard in the chair; and,

After some time spent therein, the committee rose, and by their chairman reported progress, and asked leave to sit again;

Which was granted.

The following message was then received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have passed

No. 16, C. file, An act regulating interest on money.

In which the concurrence of the House is requested.

Mr. Walworth, from the select committee, to whom was referred

No. 22, H. R. file, Memorial for a grant of land for a canal at each of the rapids of the Mississippi;

Reported the same back to the House with the following amendments:

Strike out the words "on the west side of," after the word "canal" in the 8th section, and insert "around" in lieu thereof; also the following amendment to the 10th section:

Resolved, That his Excellency, Governor Chambers be requested to transmit a copy of this memorial to the Speaker of the House of Representatives of the State of Illinois, also to the Speaker of the House of Representatives of the State of Missouri, requesting the co-operation of the several Legislatures of those States, in the objects set forth in the memorial, also a copy to the Hon. A. C. Dodge, our Delegate in Congress.

The question being upon the first amendment, a division of the question was had;

The question was then put upon striking out the words "on the west side of," and agreed to.

The question on inserting the word "around," was then put and agreed to.

The question was then taken upon the amendment to the 10th section, and agreed to; when,

On motion of Mr. Walworth,

The 42d rule was suspended, and the memorial was read a third time now.

And on the question, shall the memorial pass?

The yeas and nays were ordered;

Yeas 19; Nays 6.

Those who voted in the affirmative were,

Messrs. Berry,
Blair,
Brierly,
Briggs,
Bunker,
Culbertson,
Felkner,
Goddard,
Hackleman,
Jay,
Lewis,
McCulloch,
McMillan,
Newell,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Barton,
Hepner,
Rogers,
Sales,
Speaker.

So the memorial passed.

Mr. Walworth then moved to amend the title, by striking out the words "a grant of land," and inserting the words "an appropriation;"

Which was agreed to;

And the title as amended, agreed to; when,

On motion of Mr. Wilson,

The House adjourned.

TWO O'CLOCK; P. M.

No. 34, H. R. file, A bill for the relief of Walter Butler;

Being the order of the day, was considered in committee of the whole, Mr. Hackleman in the chair; and

After some time spent therein, the committee rose, and by their chairman reported the same back to the House without amendment;

When,

On motion of Mr. Wilson,

The same was referred to the committee on claims.

No. 14, C. file, An act to provide for chagning the venue in civil and criminal cases;

Which was read a first time.

No. 26, H. R. file, An act in relation to the safe custody of persons arrested for crimes and misdemeanors;

Being returned from the Council with amendments;

Which were severally read and concurred in.

No. 26, C. file, An act to amend an act to incorporate the Washington Manufacturing Company;

Was read a first time.

No. 16, C. file, An act regulating interest on money;

Was read a first time.

No. 17, C. file, A bill relative to divorce, alimony, and other purposes;

Being reported back to the House by the select select committee, to whom the same was referred, with an amendment;

Which was read and concurred in.

No. 2, H. R. file, An act to repeal an act, relative to officers of the Legislative Assembly;

Being reported back to the House by the committee to whom the same was referred, amended by striking out all after the first section;

Which amendment was concurred in by the House.

Mr. Walworth moved

To suspend the 42d rule and read the bill a third time now;

Which was lost.

Mr. Walworth then moved

That the bill be engrossed and read a third time to-morrow; which was agreed to,

On motion of Mr. McMillan,

No. 17, C. file, A bill relative to divorce, alimony, and other purposes;

Was taken up,

The 42d rule suspended, and the bill read a third time, passed and title agreed to.

On motion of Mr. Felkner,

No. 44, H. R. file, A bill to authorize the County Commissioners of Johnson county to vacate a part of the Territorial road leading from Wyoming to Iowa City, also, to relocate a part of said road;

Was ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Hackleman,

The House adjourned.

SATURDAY MORNING, JANUARY 14, 1843.

The House met pursuant to adjournment.

Mr. Wilson on previous notice and leave granted, introduced

No. 49, H. R. file, A joint resolution for the removal of the seat of government to Mt. Pleasant;

Which was read a first time.

Mr. Thornton presented the petition of sundry citizens of Muscatine, asking that a certain ferry charter may be renewed; which

On motion of Mr. Thornton

Was referred to the select committee to whom was referred a similar petition.

Mr. Barton, from the committee on engrossed bills, reported that they had examined

No. 44, H. R. file, A bill to authorize the County Commissioners of Johnson county, to vacate a part of a Territorial road leading from Wyoming to Iowa City, also to relocate a part of said road.

No. 47, H. R. file, A bill to allow George Bumgardner and others, further time to file in the Secretarys office, a plat of a survey of a certain Territorial road.

No. 2, H. R. file, An act to repeal an act relative to officers of the Legislative assembly.

And find the same to be correctly engrossed.

Mr. Brierly from the committee to whom was referred

No. 38, H. R. file, A joint resolution requesting our delegate in Congress to procure the establishment of a Post Office, and for other purposes;

Reported the same back to the House with the following amendment:

"Also, to have a mail route established from Keokuk to the town of Farmington, in Van Buren county, and one from Keokuk to Fairfield, in Jefferson county; also to have the mail carried by water from the city of Saint Louis to Keokuk, during the navigable seasons of the year."

Mr. Wilson from the select committee to whom was referred the petition of sundry citizens of Henry county, in relation hereinto; reported

No. 50, H. R. file, A bill to relocate a certain Territorial road;

Which was read a first time.

No. 14, C. file, An act to provide for changing the venue in civil and criminal cases;

Was read a second time; and

On motion of Mr. Wilson,
Made the order of the day for Monday next, in committee of the whole.

No. 16, C. file, An act regulating interest on money;
Was read a second time; and,
On motion of Mr. Sales,
Made the order of the day in committee of the whole, for Tuesday next.

No. 26, C. file, An act to amend an act to incorporate the Washington Manufacturing company;
Was read a second time.
Mr. Berry moved
To refer said bill to the committee on the judiciary, with instructions to report to this House "information relative to the right of this Legislature to grant charters, to dam, or obstruct navigable streams within this Territory."

Mr. Lewis moved
To lay said motion on the table;
Which was agreed to.

Mr. Walworth moved
To take up said motion;
Which was agreed to; when,
On motion of Mr. Walworth
The bill was referred to the judiciary committee.

No. 27, C. file, An act to change the name of McCarverstown, in Henry county, to Lowell;
Was read a second time; and,
On motion of Mr. McMillan,
Ordered to be read a third time on Monday next.

No. 46, H. R. file, A bill for the prevention of certain immoral practices;
Was read a second time; and
On motion of Mr. Jay
Made the order of the day in committee of the whole for Thursday next;

No. 25, H. R. file, A bill organizing a board of County Commismissioners in each county in the Territory of Iowa;
Was resumed in committee of the whole, Mr. Hackleman in the chair; and
After some time spent in considering the same, the committee rose and by their chairman reported the same back to the House with sundry amendments; when,
On motion of Mr. Rogers,
Said bill was ordered to lie on the table.

The following message was received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have passed

No. 31, C. file, An act to incorporate the Episcopal Church of Bloomington

In which the concurrence of the House is requested.

Mr. Thornton on previous notice and leave granted, introduced

No. 51, H. R. file, A bill for the relief of Denton J. Snyder;

Which was read a first time.

No. 2, H. R. file, An act to repeal an act relative to officers of the Legislative assembly;

Was read a third time.

Mr. Lewis offered the following amendment:

Sec. 2. The Seargent at Arms, Messenger and Fireman, shall be allowed out of the appropriation for defraying the expenses of the present Legislative Assembly, three dollars per day, during the present session.

Which was lost.

The question then recurring upon the passage of the bill, was put,

Carried and title agreed to.

No. 44, H. R. file, An act to authorize the County Commissioners of Johnson county to vacate a part of the Territorial road, leading from Wyoming to Iowa City, also, to relocate a part of said road;

Was read a third time, passed and title agreed to.

No. 47, H. R. file, An act to allow George Bumgardner and others, further time to file in the Secretary's office, a plat of a survey of a certain Territorial road;

Was read a third time, passed and title agreed to.

Mr. Newell moved

To adjourn;

Which was lost; when,

On motion of Mr. Lewis,

The House adjourned until Monday morning at 10 o'clock,

MONDAY MORNING, JANUARY 16, 1843.

The House met pursuant to adjournment.

Mr. Andros presented the petition of sundry citizens of Dubuque asking that certain privileges be granted to the Miners' Bank of Dubuque; which,

On motion of Mr. Rogers,

Was referred to the delegation from Clayton and Dubuque.

Mr. Jay presented the petition of sundry citizens of Henry county, asking the relocation of a certain Territorial road; which,

On motion of Mr. Jay

Was referred to the delegation from Henry county.

Mr. Rogers, from the committee on the Judiciary, to whom was referred

No. 6, C. file, A bill to repeal an act, entitled an act, relating to auctioneers and auction sales, approved January 17th, 1840;

Also,

No. 5, C. file, An act to prohibit and punish the sale of intoxicating liquors to Indians;

Reported them back to the House without amendment;

Also,

No. 8, C. file, Joint resolution instructing our Delegate in Congress to procure an amendment to the Organic law;

With amendments.

Mr. Hepner from the committee on the Judiciary to whom was referred

No. 36, H. R. file, A bill to authorize Isaac R. Campbell and company to construct a dam across the Des Moines river;

Also,

No. 26, C. file, An act to amend an act to incorporate the Washington Manufacturing Company.

With instructions to report to the House information relative to the right of the Legislature to grant charters to dam, or obstruct the navigation of navigable streams, within the Territory;

Submit the following report:

That the 4th article of the ordinance of 1787, passed for the government of the North Western Territory, declares the navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same shall be common highways, and forever free as well to the inhabitants of the Territory as to the citizens of the United States, and those of any other States that may be admitted into the confederacy without any tax, impost, or duty therefor.

The 12th section of the Organic Law extends the obligation and observance of the above cited article, to this Territory, and is as binding on the Legislature of Iowa, as it ever was on any Legislature in the North Western Territory.

The acts of Congress of the 18th of May, 1817; 3d of March, 1803; and 26th of March, 1804, establish that the navigable rivers and streams through the domains of the United States, shall be and remain public highways, and that streams not navigable, having the opposite banks owned by different persons, shall have their beds and waters common to both.

From the authorities above cited, your committee are clearly of the opinion that the Legislature is not authorized to grant any person the privilege to obstruct the navigation of any stream, the bed of which has not been surveyed and sold as so much land. And, if it has been sold, the purchaser has a right to use it as he pleases: Provided, he does not infringe on the rights of others in so doing.

Your committee therefore, asked to be discharged from the further consideration of the subject.

Mr. Lewis gave notice that he would at some future day submit a counter report.

Mr. McMillan from the committee on the judiciary, to whom was referred

No. 21, C. file, An act relating to the office of Recorder of Deeds;

Recommend to the House the adoption of the following proviso to the same:

Provided, That in all cases where the Recorder of any county, shall absent himself from the county in which he is Recorder, for the term of six months, said office shall be deemed vacant.

No. 49, H. R. file, A joint resolution for the removal of the seat of government to Mount Pleasant.

Was read a second time; and,

On motion of Mr. Wilson,

Committed to a committee of the whole House, and made the order of the day for Saturday next.

No. 50, H. R. file, A bill to relocate a certain Territorial road;

Was read a second time, and,

On motion of Mr. Wilson,

Ordered to be engrossed and read a third time to-morrow.

No. 51, H. R. file, A bill for the relief of Denton J. Snyder;

Was read a second time; and,

On motion of Mr. Lewis,

Ordered to be engrossed and read a third time to-morrow.

No. 45, H. R. file, A bill to provide for assessing and collecting County and Territorial revenue;

Was read a second time; and,

On motion of Mr. Wilson,

Committed to a committee of the whole House, and made the order of the day for Friday next.

No. 27, C. file, An act to change the name of McCarverstown in Henry county, to Lowell; and,

No. 30, H. R. file, A bill to amend an act to incorporate the city of Dubuque.

Were severally read a third time, passed and titles agreed to.

On motion of Mr. McMillan,

The report of the judiciary committee, upon

No. 21, C. file, An act relating to the office of Recorder of Deeds;

Was taken up, and the amendment concurred in; when,

On motion of Mr. McMillan,

The amendment was ordered to be engrossed and with the bill read a third time to-morrow.

No. 43, H. R. file, An act to donate the public landing in the town of Bentonsport for mill purposes;

Being the order of the day, was read, and

On motion of Mr. Walworth,

Referred to the judiciary committee.

No. 14, C. file, An act to provide for changing the venue in civil and criminal cases;

Being the order of the day, was considered in committee of the whole, Mr. Jay in the chair;

After some time spent therein, the committee rose, and, by their chairman, reported the same back to the House without amendment;

When,

On motion of Mr. McMillan,

The bill was ordered to a third reading to-morrow.

No. 31, C. file, An act to incorporate the Methodist Episcopal Church at Bloomington;

Was read a first time.

No. 8, C. file, Joint resolution instructing our delegate in Congress to procure an amendment to the Organic Law;

Being reported from the judiciary committee with the following amendments:

Strike out "instructed" in the fourth line, and insert "requested." Strike out after the word "of" in the seventh line all to the word "clerks" in the eighth line, insert "Iowa, to elect the Governor, Secretary and;"

Which were concurred in; when,

Mr. Walworth moved

The following amendment: "Also, so as to extend the jurisdiction of Justices of the Peace, to one hundred dollars;"

Which was agreed to; when,

On motion of Mr. Jay,

The resolution was ordered to a third reading to-morrow.

The following message was then received from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—The Council have passed without amendment

No. 35, H. R. file, A bill to relocate a part of a Territorial road leading from Davenport in Scott county, to Marion in Linn county;

No. 38, H. R. file, A joint resolution requesting our delegate in Congress to procure the establishment of a Post Office, and for other purposes;

Being reported back by the select committee, (to whom the same was referred) with sundry amendments;

Which was read; when,

On motion of Mr. Lewis,

The amendments were amended, by inserting the words "via Winchester, in Van Buren county;"

Which was agreed to.

And the amendment as amended concurred in; when,

On motion of Mr. McMillan,

The same was laid upon the table.

On motion of Mr. Wilson,

The House adjourned until to-morrow morning at 10 o'clock.

TUESDAY MORNING, JANUARY 17, 1843.

The House met pursuant to adjournment.

Mr. Steele presented the petition of sundry citizens of Lee county, asking that a charter be granted to Ovid Grinnell and others to construct a dam; which,

On motion of Mr. Steele,

Was laid on the table.

Mr. Goddard, on previous notice and leave granted, introduced,

No. 52, H. R. file, A bill to prevent damage by the firing of prairies;

Which was read a first time by its title; and,

On motion of Mr. Andros,

Forty copies of the same was ordered to be printed.

Mr. Jay, from the committee, to whom was referred the petition of sundry citizens of Henry county, in relation hereto, reported,

No. 53, H. R. file, A bill to relocate a part of a certain Territorial road in Henry county;

Which was read a first time.

Mr. Barton, from the committee on engrossed bills, reported that they had examined,

No. 51, H. R. file, A bill for the relief of Denton J. Snyder;
Also,
No. 50, H. R. file, A bill to relocate a certain Territorial road;
And find the same to be correctly engrossed.

Mr. Wilson, from the commitee on township and county boundaries, to whom was referred a resolution, instructing them to enquire into the expediency of organizing into counties prospectively, the country included within the limits of the ideal line to be established between the Sac and Fox Indians, reported,

No. 54, H. R. file, A bill to attach the late purchase to certain counties for Judicial purposes;

Which was read a first time.

Mr. Lewis, from the committee on enrolled bills, reported that they had examined,

No. 26, H. R. file, An act in relation to the safe custody of persons arrested for crimes and misdemeanors;

No. 35, H. R. file, An act to relocate a part of a Territorial road, leading from Davenport, in Scott county, to Marion, in Linn county.

And find the same to be correctly enrolled.

No. 31, C. file, An act to incorporate the Methodist Episcopal Church at Bloomington;

Was read a second time; and,

On motion of Mr. Hepner,

The consideration of the same was indefinately postponed.

No. 5, C. file, An act to prohibit and punish the sale of intoxicating liquors to Indians;

Was read a third time, passed, and title agreed to.

No. 6, C. file, An act to repeal an act entitled an act relating to auctioneers and auction sales, approved January 17th, 1840.

Was read a third time, passed and title agreed to.

No. 8, C. file, Joint resolution instructing our Delegate in Congress to procure an amendment to the Organic law;

Was read a third time; and,

On motion of Mr. Walworth,

Referred to a select committee of three.

The Chair appointed Messrs. Walworth, Hepner and Sales, said committee.

No. 14, C. file, An act to provide for changing the venue in civil and criminal cases;

Was read a third time; and,

On motion of Mr. Barton,

Was referred to the committee on the judiciary,

With instructions to enquire into the expediency of amending the 11th section.

No. 21, C. file, An act relating to the office of Recorder of Deeds.
Was read a third time, passed and title agreed to.

No. 16, C. file, An act regulating interest on money;
Being the order of the day, the House resolved itself into committee of the whole, Mr. Lewis in the chair; and,
After some time spent in consideration of the same, the committee rose, and, by their chairman, reported the same back to the House without amendment;
Mr. Rogers moved
That fifty copies of the same be printed; and,
That the bill be referred to the committee on the Judiciary;
Which was agreed to.

No. 50, H. R. file, A bill to relocate a certain Territorial road;
Was read a third time, passed and title agreed to.

No. 51, H. R. file, A bill for the relief of Denton J. Snyder;
Was read a third time, passed and title agreed to.

The following message was received from the Council, by Mr. Fales, their Secretary:
Mr. Speaker—The Council have passed

No. 19, H. R. file, An act to relocate a part of a Territorial road in Henry county;
No. 32, H. R. file, An act to incorporate the Scott county hydraulic company;
Also, with amendments
No. 31, H. R. file, An act to establish a Territorial road in Lee county.
The Council have also passed,
No. 15, C. file, An act defining the duties of County Surveyors.
In which I am directed to ask the concurrence of the House.

No. 31, H. R. file, Being returned from the Council with the following amendment: Strike out the words "of one years standing" in the second section; which was read and concurred in.
No. 15, C. file, An act defining the duties of County Surveyors;
Was read a first time.

Mr. Rogers moved to take from the table,
No. 27, H. R. file, A bill to prevent and punish gaming;
Which was agreed to; when,
On motion of Mr. Rogers,
The House resolved itself into committee of the whole, Mr. McCulloch in the Chair; and,
After some time spent therein, the committee rose, and, by their chairman, reported progress, and asked leave to sit again;
Which was granted; when,
On motion of Mr. Lewis,
The House adjourned until to-morrow morning at 10 o'clock.

WEDNESDAY MORNING, JANUARY 18, 1843.

The House met pursuant to adjournment.

Mr. Andros presented the petition of Hester Ann Campbell, asking a divorce from her husband, Robert Campbell; which,

On motion of Mr. Andros,

Was laid on the table.

Mr. Newell presented the petition of sundry citizens of Louisa county, asking that a valuation or stay law, may be passed at this session of the Legislature; which,

On motion of Mr. Newell,

Was referred to the committee on revision.

Mr. Barton presented the petition of sundry citizens of Farmington, Van Buren county, asking an amendment to their town charter; which,

On motion of Mr. Barton,

Was referred to the Delegation from Van Buren county.

Mr. Walworth presented the petition of sundry citizens of Makokete, asking that a new county be set off to comprise sundry townships from the counties of Dubuque, Delaware, Jackson and Jones; which,

On motion of Mr. Walworth,

Was referred to the committee on township and county boundaries.

Mr. Felkner presented the petition of George Andrews asking relief from certain liabilities, which,

On motion of Mr. Felkner,

Was referred to the committee on Territorial Affairs.

Mr. Bunker gave notice that he would, on some future day, ask leave to introduce a bill to legalize the location of a certain Territorial road.

Mr. Lewis submitted the following,

The minority of the committee to whom was referred

A bill to authorize Isaac R. Campbell, & Co., to construct a dam across the Des Moines river;

Also,

An act to amend an act to incorporate the Washington Manufacturing Company;

Ask leave to submit the following minority report:

The Des Moines and Cedar rivers must be regarded as connecting the interior of Iowa with the Mississippi; that those rivers in their unimproved condition, cannot be of much utility to the people of Iowa, but a small portion of the year; the water being insufficient to float either steam or flat boats. But that said rivers are susceptible of being made navigable for boats of ordinary burthen, with but little expense compared with the great advantage it would be to the interior of the country must be evident to all, and that the policy of giving individuals the right to construct dams across said rivers with good and sufficient locks and gates, for the passage of all boats, &c., at proper places, is a system of improvement already commenced on the Des Moines river; a policy which, if fostered, will finally make that river navigable for the most of the year. The right to construct dams across said rivers, with good locks and gates to pass all boats, water crafts, &c., free of tax, would not be in violation of the ordinance of 1787, as this minority of the committee believe.

Mr. Hepner presented the petition of sundry citizens of Franklin township, Des Moines county, asking that a stay or valuation law be passed at the present session of the Legislature; which,

On motion of Mr. Hepner,

Was laid on the table.

Mr. Hepner presented the petition of sundry citizens of Franklin township, Des Moines county, asking a change in the present mode of assessing and collecting the county revenue; which,

On motion of Mr. Hepner,

Was laid on the table.

The following message was received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have passed with an amendment

No. 2, H. R. file, An act to repeal an act relative to officers of the Legislative Assembly;

The Council have also passed

No. 40, H. R. file, An act to legalize the acts of the Sheriff of Clayton county;

No. 42, H. R. file, An act to relocate a Territorial road from Moscow so as to intersect a road leading from Bloomington to Iowa City, at or near Hudson, in Muscatine county;

No. 12, C. file, An act to locate a Territorial road from Jonathan H. Jenkins, in Linn county, to the city of Dubuque.

No. 30, C. file, An act to establish a Seminary of learning at Grandview, in Louisa county;

In which the concurrence of the House is requested.

I herewith present for your signature

An act relative to divorce, alimony, and other purposes;

Which was then signed by the Speaker of the House of Representative.

Mr. Felkner on leave being granted introduced

No. 55, A joint resolution for the relief of George Andrews;

Which was read a first time.

Mr. Felkner moved

To suspend the 42d rule, and that the joint resolution be read a second time now;

Upon which motion the yeas and nays were ordered;

Yeas 20; Nays 4.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Brierly,
Blair,
Briggs,
Bunker,
Culbertson,
Felkner,
Goddard,
Jay,
McCulloch,
McMillan,
Newell,
Rogers,
Sales,
Steele,
Swearingen,
Thornton,
Wilson,
Speaker.

Those who voted in the negative were,

Messrs. Berry,
Hackleman,
Hepner,
Lewis.

So the motion to suspend was agreed to,

And the resolution read a second time; and

On motion of Mr. Felkner,

Referred to the committee on Territorial affairs.

Mr. Sales, on previous notice and leave granted, introduced

No. 56, H. R. file, A bill relative to mechanics leins, and for other purposes;

Which was read a first time; when,

On motion of Mr. Rogers,

Fifty copies of the same was ordered to be printed.

Mr. Walworth from the committee to whom was referred

A joint resolution providing for the introduction of a bill to establish the permanent price hereafter to be allowed for the Public Printing in this Territory, with instructions to send for persons and papers, examine witnesses, &c.;

Have had the same under consideration, and would respectfully submit the following report and bill:

Your committee have examined the prices allowed by Congress and the adjoining States, and find them to be less than one half of the price which has been formerly paid by this Territory. The subject of printing like all other arts, is understood only by those familiar with its technicalities. Your committee therefore regard the high prices heretofore allowed by this Territory, as in some measure the result of a want of proper information. Therefore, with the view of presenting information which may be relied upon, your committee have examined the following witnesses under oath, viz: James Grant, James Clark, John H. McKinney and William Crum. All of whom agree in estimating the principal items of the first cost of Printing, which are as follows, viz:

Prices paid to Journeymen for composition 40 cents per 1000 ems.

For press-work 40 cents per token of 250 impressions.

For rule and figure-work, double those prices.

The witnesses differ some little in estimating the incidental expenses of the Printer, prices of paper, &c.; also in regard to the profits which should be allowed to the Printer. Your committee in estimating the latter, have been governed by the testimony of Messrs. Grant and Clarke, as they were presumed to be entirely disinterested.

Mr. Clarke testified that he was a practical Printer; had been engaged in public printing in Pennsylvania, Wisconsin and in this Territory, and that he had never known less charged than double the amount paid to the Journeymen, which would be according to the prices paid to the Journeymen in this city—eighty cents per thousand ems for composition, and eighty cents per token for press-work. But said that he was of the opinion that in this city, considering all the disadvantages under which the Printers here labor, that one dollar per thousand ems, and one dollar per token for press-work, would not be too much.

Your committee, though unwilling to lavish the public money in wasteful extravagance, are desirous of awarding to the mechanic a liberal compensation for his labor, and have, therefore, recommended in the accompanying bill the highest prices proposed by Mr. Clarke, viz: one dollar per thousand ems and one dollar per token, &c., which prices, though liberal, will on comparison be seen to be a reduction of about one half from prices heretofore allowed.

The following is the title of the accompanying bill:

No. 57, H. R. file, A bill for establishing the prices of the public printing;

Which was read a first time; when,

On motion of Mr. Andros,

Fifty copieis of said report and bill were ordered to be printed.

Mr. Newell gave notice that he would, on some future day, ask leave to introduce a bill to legalize the location of certain Territorial roads therein named.

No. 53, H. R. file, A bill to relocate a part of a certain Territorial road in Henry county;

Was read a second time; and,

On motion of Mr. Wilson,

Ordered to be engrossed and read a third time to-morrow.

No. 54, H. R. file, A bill to attach the late purchase to certain counties for judicial purposes;

Was read a second time.

Mr. Rogers moved to lay said bill on the table.

Which was lost; when,

On motion of Mr. Wilson,
The same was referred to the committee on township and county boundaries.

No. 15, C. file, An act defining the duties of County Surveyors;
Was read a second time; and,
On motion of Mr. Rogers,
The same was laid on the table.

No. 48, H. R. file, A bill providing for and regulating general elections in this Territory;
Was read a second time; and
On motion of Mr. Newell,
Committed to the committee of the whole House, and made the order of the day for Monday next.

No. 27, H. R. file, A bill to prevent and punish gaming;
Being the order of the day was resumed in committee of the whole, Mr. McCulloch in the chair; and,
After some time spent in considering the same, the committee rose and by their chairman reported the same back to the House with amendments; when,
On motion of Mr. Walworth,
Said bill was laid on the table subject to the order of the House.

The following message was then received from the Council, by their Secretary, Mr. Fales:
Mr. Speaker—The Council have passed
No. 21, H. R. file, An act to legalize the acts of George Duden, a justice of the peace.
No. 44, H. R. file, An act to authorize the County Commissioners of Johnson county, to vacate a part of a Territorial road leading from Wyoming to Iowa City, also to relocate a part of said road.
No. 47, H. R. file, An act to allow George Bumgardner and others further time to file in the Secretary's office, a plat of a survey of a certain Territorial road.
Also,
No. 29, C. file, An act to legalize the acts of Jacob Mintun, a justice of the peace.
No. 32, C. file, A joint resolution asking an appropriation to defray the expenses of a treaty with the Pottawatamie, Chippewa and Ottowa Indians.
In which the concurrence of the House is requested.
I am directed to present for your signature
An act to change the name of McCarverstown, in Henry county, to Lowell;
Which was signed by the Speaker of the House.

Mr. Walworth moved
To reconsider the vote taken upon printing,

No. 57, H. R. file, A bill to establish the prices for public printing; and the report accompanying the same which was had; when,

On motion of Mr. Walworth,

Fifty copies of said bill was ordered to be printed.

The question was then taken upon printing the report, and lost;

When,

On motion of Mr. Hepner,

The House adjourned.

TWO O'CLOCK, P. M.

No. 2, H. R. file, An act to repeal an act, entitled an act, relative to officers of the Legislative Assembly;

Being returned from the Council with amendment,

The question upon concurring in the same was put and agreed to.

No. 12, C file, An act to locate a Territorial road from Jonathan H. Jenkins in Linn county, to the city of Dubuque;

Was read a first time.

No. 30, C. file, An act to establish a seminary of learning at Grand View in Louisa county;

Was read a first time.

No. 29, C. file, An act to legalize the acts of Jacob Mintun, a justice of the peace;

Was read a first time.

No. 32, C. file, A joint resolution, asking an appropriation to defray the expenses of a treaty with the Pottawatamie, Chippewa and Ottawa Indians;

Was read a first time.

Mr. McCulloch moved to take from the table,

No. 38, H. R. file, A joint resolution requesting our Delegate in Congress to procure the establishment of a post office, and for other purposes;

Which was agreed to; when,

On motion of Mr. McCulloch,

The same was ordered to be engrossed and read a third time to-morrow.

Mr. Walworth moved to take from the table,

No. 2, C. file, An act to regulate the mode of petitioning the Legislative Assembly in certain cases;

Which was agreed to.

Mr. Andros moved a call of the House, which was had;

The absent members appearing in their seats;

On motion of Mr. McCulloch,

The further call was dispensed with; when,

On motion of Mr. Walworth,

Said bill was considered in committee of the whole, Mr. McMillan in the chair; and,

After some time spent therein, the committee rose and by their chairman reported the same back to the House without amendment; when,

On motion of Mr. Walworth,

The bill was referred to a select committee consisting of one from each judicial district; and,

The Chair appointed Messrs. Walworth, Felkner and Hepner, said committee.

On motion of Mr. Hepner,

No. 26, C. file, An act to amend an act to incorporate the Washington Manufacturing company.

No. 36, H. R. file, A bill to authorize Isaac R. Campbell and company to construct a dam across the Des Moines river.

As also, the majority and minority reports of the Judiciary committee in relation thereto, to whom said bills were referred;

Were taken up, said reports being read;

Mr. Hepner moved the indefinite postponement of

No. 36, H. R. file, as above;

On which question the yeas and nays were ordered;

Yeas 11, Nays 14.

Those who voted in the affirmative were,

Messrs. Andros,
Berry,
Blair,
Briggs,
Culbertson,
Felkner,
Hackleman,
Hepner,
McMillan,
Rogers,
Speaker.

Those who voted in the negative were,

Messrs. Barton,
Brierly,
Bunker,
Goddard,
Jay,
Lewis,
McCulloch,
Newell,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

So the motion was lost; when,

On motion of Mr. Brierly,

The bill was ordered to be engrossed and read a third time on tomorrow.

On motion of Mr. Walworth,

No. 26, C. file, An act to amend an act, to incorporate the Washington Manufacturing Company;

Was laid upon the table.

Mr. Walworth, from the select committee, to whom was referred No. 8, C. file, Joint resolution instructing our Delegate in Congress to procure an amendment to the Organic Law;

Reported the same back to the House with the following amendment:

Also to procure an amendment to an act entitled an act to provide for the settlement of certain accounts for the support of government in the Territory of Wisconsin and for other purposes; so as to provide that the Legislature may appropriate the amount of per diem, allowed by Congress, for their subordinate officers for such service, in such manner, as they may direct without regard to the kind or number of officers employed.

Which was agreed to; when,

On motion of Mr. Walworth,

The amendment was ordered to be engrossed and with the resolution read a third time to-morrow.

On motion of M. McCulloch,

The House adjourned.

THURSDAY MORNING, JANUARY 19, 1843.

The House met pursuant to adjournment.

Mr. Bunker presented the petition of sundry citizens of Washington county, asking the repeal of all acts, regulating blacks and mulattoes; which,

On motion of Mr. Bunker,

Was referred to the committee on the Judiciary.

Mr. McCulloch gave notice that he would, on some future day, ask leave to introduce a bill to empowor the County Commissioners of Lee county to extend further time to B. W. Gillock, to collect the taxes yet due for the year 1841.

Mr. Barton offered the following:

Resolved, That the Auditor of Public Accounts be, and is hereby, required to make out and submit his annual report to this House without delay.

Mr. Hepner moved to strike out "without delay;"

Which was lost.

The question was then taken upon the adoption of the resolution, and agreed to.

Mr. Andros, from the committee on claims, to whom was referred

No. 34, H. R. file, A bill for the relief of Walter Butler;
Reported a substitute for the same.

Mr. Sales gave notice that he would, on some future day, submit a counter report.

Mr. Thornton, from the select committee, to whom was referred the petition of sundry citizens of Muscatine county in lelation hereto, reported,

No. 58, H. R. file, A bill to authorize Henry De Camp and Samuel H. Colyer to keep a ferry across the Mississippi at the town of Wyoming;

Which was read a first time.

Mr. Barton, from the select committee, to whom was referred the petition of the citizens of Farmington, in lelation hereto, reported,

No. 59, H. R. A bill to amend an act entitled an act, for the incorporation of the town of Farmington;

Which was read a first time.

Mr. Lewis, from the committee on enrolled bills, reported that they had examined,

An act to locate a Territorial road from Moscow, so as to intersect a road leading from Bloomington to Iowa City, at or near Hudson in Muscatine county.

An act to incorporate the Scott county Hydraulic company.

An act to relocate a part of a Territorial road in Henry county.

An act to legalize the acts of the Sheriff of Clayton county.

An act to allow George Bumgardner and others, further time to file in the Secretarys office, a plat of a survey of a certain Territorial road.

An act to establish a Territorial road in Lee county.

And,

An act to repeal an act, relative to officers of the Legislative Assembly.

And find the same correctly enrolled.

Mr. Walworth, from the committee on engrossed bills, reported that they had examined

No. 36, H. R. file, A bill to authorize Isaac R. Campbell and Company to construct a dam across the Des Moines river.

No. 53, H. R. file, A bill to relocate a part of a certain Territorial road in Henry county; and,

No. 38, H. R. file, A joint resolution requesting our Delegate in Congress to procure the establishment of a post office, and for other purposes.

And find the same correctly engrossed.

Mr. Newell, on previous notice and leave granted, introduced

No. 60, H. R. file, A bill to legalize the location of certain Territorial roads;

Which was read a first time.

No. 52, H. R. file, A bill to prevent damage by the firing of prairies;
Was read a second time; and,
On motion of Mr. Goddard,
The same was committed to the committee of the whole and made the order of the day for Wednesday next.

No. 12, C. file, An act to locate a Territorial road from Jonathan H. Jenkins in Linn county, to the city of Dubuque;
Was read a second time; and
On motion of Mr. Berry,
Was ordered to be read a third time on to-morrow.

No. 29, C. file, An act to legalize the acts of Jacob Mintun, a justice of the peace;
Was read a second time; and
On motion of Mr. Lewis,
Was ordered to be read a third time to-morrow.

No. 30, C. file, An act to establish a Seminary of learning at Grand View in Louisa county;
Was read a second time; and,
On motion of Mr. Jay,
Ordered to be read a third time to-morrow.

No. 32, C. file, Joint resolution, asking an appropriation to defray the expenses of a treaty with the Pottawottamie, Chippewa and Ottawa Indians;
Was read a second time; and,
On motion of Mr. Wilson,
Was ordered to be read a third time to-morrow.

No. 36, H. R. file, A bill to authorize Isaac R. Campbell and company to construct a dam across the Des Moines river;
Was read a third time; and,
On motion of Mr. Brierly,
The same was laid on the table.

No. 38, H. R. file, A joint resolution requesting our delegate in Congress to procure the establishment of a Post Office, and for other purposes;
Was read a third time and passed.

No. 53, H. R. file, A bill to relocate a part of a certain Territorial road in Henry county;
Was read a third time, passed and title agreed to.

No. 8, C. file, Joint resolution instructing our Delegate in Congress to procure an amendment to the Organic law;
Was read a third time and passed.

No. 46, H. R. file, A bill for the prevention of certain immoral practices;

Being the order of the day, the House resolved itself into committee of the whole, Mr. Newell in the chair; and,

After some time spent in consideration of the same, the committee rose, and, by their chairman, reported the same back to the House with one amendment;

Which was concurred in.

Mr. McMillan moved

To amend the 5th section by striking out the following words "under the penalty of forfeiture of their respective offices;"

Which was agreed to.

Mr. Lewis moved to strike out the word "five" in the fourth line of the first section, and insert "one;"

Which was lost.

Mr. Barton moved that the House adjourn;

Which was not agreed to.

Mr. Lewis then moved to strike out the words "nor less than one dollar;"

Which was agreed to; when,

On motion of Mr. Newell,

The bill was ordered to be engrossed and read a third time to-morrow.

Upon which question the yeas and nays were ordered;

Yeas 15, Nays 10.

Those who voted in the affirmative were,

Messrs. Barton,
Berry,
Blair,
Culbertson,
Goddard,
Jay,
Lewis,
McMillan,
Newell,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Brierly,
Briggs,
Bunker,
Felkner,
Hackleman,
Hepner,
McCulloch,
Rogers,
Speaker.

So the motion was agreed to.

On motion of Mr. Rogers,

The House adjourned until to-morrow morning at 10 o'clock.

FRIDAY MORNING, JANUARY 20, 1843.

The House met pursuant to adjournment.

Mr. Bunker presented the petition of sundry citizens of Washington county, asking the repeal of a certain law relative to blacks and mulattoes; which,

On motion of Mr. Bunker,

Was referred to the committee on the judiciary.

Mr. Thornton gave notice that he would, on some future day, ask leave to introduce

A bill to incorporate the Bloomington Lyceum.

Mr. Felkner gave notice that he would, on some future day, ask leave to introduce

A bill to legalize the location of a Territorial road leading from Lyons to Iowa City.

Mr. Rogers from the committee on the judiciary to whom was referred

No. 39, H. R. file, A bill to amend an act entitled an act, defining crimes and punishments;

Reported the same back to the House with the following resolution:

Resolved, That it is inexpedient at this time, to abolish capital punishment, and the bill be indefinitely postponed.

Mr. Lewis, from the committee on enrolled bills, reported, that they had presented to the Governor for his approval:

An act to relocate a part of a Territorial road, leading from Davenport in Scott county, to Marion in Linn county.

An act relative to the safe custody of persons arrested for crimes and misdemeanors;

They have also examined

An act to authorize the County Commissioners of Johnson county, to vacate a part of the Territorial road leading from Wyoming to Iowa City, also, to relocate a part of said road; and

An act to legalize the acts of George Duden, a Justice of the Peace;

And find the same to be correctly enrolled.

Mr. Brierly, on previous notice and leave granted, introduced

No. 61, H. R. file, A bill to establish a Seminary of learning at Nashville;

Which was read a first time.

Mr. Barton from the select committee to whom was referred the petition of sundry citizens of Van Buren county, relative hereto; reported

No. 62, H. R. file, A bill to authorize Arthur Town and others, to erect a dam part way across the Des Moines river;

Which was read a first time.

The chair submitted the following communication from the Auditor of public accounts:

AUDITOR'S OFFICE,
Iowa City, Jan. 19, 1843.

HON. JAMES M. MORGAN,
Speaker of the
House of Representatives.

Sir:—I have the honor to acknowledge the receipt of a resolution which passed the House of Representatives this morning, requiring me to make out and submit my annual report to the House without delay.

In answer to the resolution, I beg leave briefly to state the reasons, why I have not done so, at an earlier period of the session.

Some four or five weeks prior to the commencement of the present session of the Legislature, I transmitted my resignation of the office to the Governor of the Territory, and was in hope that he would have appointed my successor immediately. I received no reply to my letter until the Governor arrived in this city, at the commencement of the present session, when he requested that I should hold the office until I made my annual report to the Legislature. And having on hand a large number of unadjusted accounts, and which have been daily increasing since that time. I have been desirous to dispose of them all, prior to my turning the books and accounts over to a successor.

Another reason why I have delayed is, that at the commencement of the present session, but very few of the reports of the assessment of Territorial tax, in the respective counties for the past year, had been received at this office, and flattered myself by the delay, to be enabled to present a more full and satisfactory report. The report of the Treasurer, which has been laid before the Legislature, contains an exhibit of the condition of the Territorial Treasury up to the date of the same, and which obviated, as I thought, any positive necessity for a report from this office at the commencement of the session.

I will, however, in the course of a very few days, be enabled to lay my report before the House, and hope that the additional information which I will be enabled to communicate, will justify the apparent neglect in not reporting at an earlier day.

Very respectfully
Your ob't. servant,
JESSE WILLIAMS,
Auditor of Public Accounts.

Mr. Hepner moved

To lay said communication on the table;

Which was agreed to.

Mr. Walworth, from the select committee, to whom was referred

No. 2, C. file, An act to regulate the mode of petitioning the Legislative Assembly in certain cases;

Reported the same back, and recommend that the second and third sections be stricken out.

Mr. Walworth presented the petition of sundry citizens of Cedar county asking that the road leading from Rockingham to Moscow, be continued on to Iowa City; which,

On motion of Mr. Walworth,

Was referred to the delegation from Cedar, Jones and Linn.

The following message was received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have passed

No. 30, H. R. file, An act to amend an act to incorporate the city of Dubuque;

The Council have disagreed to the amendments made by the House to

No. 8, C. file, Joint resolution instructing our delegate in Congress to procure an amendment to the Organic Law;

I herewith present for your signature

An act to repeal an act entitled an act relating to auctioneers and auction sales;

An act to prohibit and punish the sale of intoxicating liquors to Indians;

An act relating to the office of Recorder of Deeds;

I also return

An act to establish a Territorial road in Lee county;

An act to allow George Bumgardner and others, further time to file in the Secretary's office, a plat of a survey of a certain Territorial road;

An act to legalize the acts of the Sheriff of Clayon county.

An act to locate a part of a Territorial road in Henry county.

An act to incorporate the Scott county Hydraulic Company.

An act to locate a Territorial road from Moscow, so as to intersect a road leading from Bloomington to Iowa City, at or near Hudson in Muscatine county.

And,

An act to repeal an act relative to officers of the Legislative Assembly.

All of which have been signed by the President of the Council.

No. 58, H. R. file, A bill to authorize Henry De Camp and Samuel H. Colyer, to keep a ferry across the Mississippi river, at the town of Wyoming;

Was read a second time; when,

Mr. Rogers moved

The following amendment:

"Sec. 4. That any future Legislature shall have power to alter, amend or repeal this act."

Which was agreed to.

Mr. Berry then moved

To lay the bill on the table;

Which was lost.

Mr Thorton then moved

That the bill be engrossed and read a third time to-morrow.

Upon which question the yeas and nays were ordered;

Yeas 14, Nays 11.

Those who voted in the affirmative were,

Messrs. Barton,
Blair,
Brierly,
Briggs,
Felkner,
Hepner,
Lewis,
McCulloch,
McMillan,
Newell,
Steele,
Swearingen,
Thornton,
Walworth.

Those who voted in the negative were,

Messrs. Andros,
Berry,
Bunker,
Culbertson,
Goddard,
Hackleman,
Jay,
Rogers,
Sales,
Wilson.
Speaker.

So the motion was agreed to.

No. 59, H. R. file, A bill to amend an act entitled an act for the incorporation of the town of Farmington;

Was read a second time; and,

On motion of Mr. Barton,

The bill was ordered to be engrossed and read a third time to-morrow.

No. 60, H. R. file, A bill to legalize the location of a certain Territorial road;

Was read a second time; when,

On motion of Mr. Bunker,

Was ordered to be engrossed and read a third time to-morrow.

No. 56, H. R. file, A bill relative to mechanics' liens and other purposes;

Was read a second time; and,

On motion of Mr. Sales,

The bill was committed to a committee of the whole House and made the order of the day for Wednesday next.

No. 46, H. R. file, A bill for the prevention of certain immoral practices;

Was read a third time;

Mr. Lewis moved

To amend the second section by inserting after the word "Physician," the following: "If such grocery keeper, or other person, shall know that such spirituous liquors are wanted to be used as medicine."

Which was agreed to;

Mr. Hepner moved

To postpone the consideration of the bill until Tuesday next;

Which was lost.

The question upon the passage of the bill was then taken by yeas and nays.

Yeas 14, nays 11.

Those who voted in the affirmative were,

Messrs. Barton,
Berry,
Blair,
Culbertson,
Goddard,
Jay,
Lewis,
McMillan,
Newell,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Brierly,
Briggs,
Bunker,
Felkner,
Hackleman,
Hepner,
McCulloch,
Rogers,
Sales,
Speaker.

So the bill passed.

And on the question, will the House agree to the title of the bill?

Mr. Hepner moved to amend by striking out the title and insert the following:

An act to enforce the observance of the Sabbath.

Mr. Rogers moved further to amend by adding the following:

And to violate the Constitution of the United States and the rights of conscience.

Upon which amendment the yeas and nays were ordered;

Yeas 7, Nays 18.

Those who voted in the affirmative were,

Messrs. Andros,
Briggs,
Bunker,
Hackleman,
Hepner,
Rogers,
Speaker.

Those who voted in the negative were,

Messrs. Barton,
Berry,
Blair,
Brierly,
Culbertson,
Felkner,
Goddard,
Jay,
Lewis,
McCulloch,
McMillan,
Newell,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

So the motion was lost.

Mr. Felkner then moved to amend the amendment by adding the words, "and other purposes."

Mr. Walworth moved the previous question.

The Chair then put the question,

Shall the main question be now put?

Upon which question the yeas and nays were ordered;

Yeas 11, Nays 14.

Those who voted in the affirmative were,

Messrs. Blair, Brierly, Briggs, Bunker, Felkner, Hackleman, McCulloch, McMillan, Sales, Swearingen, Walworth.

Those who voted in the negative were,

Messrs. Andros, Barton, Berry, Culbertson, Goddard, Hepner, Jay, Lewis, Newell, Rogers, Steele, Thornton, Wilson. Speaker.

So it was determined that the main question should not now be put.

Mr. Barton moved a reconsideration of the vote just taken;

Which was agreed to.

Mr. Walworth then with leave, withdrew his motion for the previous question.

Mr. Hepner then accepted the amendment to his amendment, as proposed by the gentleman from Johnson.

The question then recurred on the amendment as amended;

Upon which question the yeas and nays were ordered;

Yeas 9, Nays 16.

Those who voted in the affirmative were,

Messrs. Brierly, Briggs, Bunker, Felkner, Hackleman, Hepner, Rogers, Sales, Speaker.

Those who voted in the negative were,

Messrs. Andros, Barton, Berry, Blair, Culbertson, Goddard, Jay, Lewis, McCulloch, McMillan, Newell, Steele, Swearingen, Thornton, Walworth, Wilson.

So the amendment as amended was lost.

Mr. Hepner moved to strike out the title and insert,

An act to enforce a part of the old blue laws of Connecticut.

Mr. Lewis moved to amend by adding "as established in all the States;"

Which was lost.

The question was then taken upon Mr. Hepner's amendment;

Upon which question the yeas and nays were ordered;
Yeas 6, Nays 19.

Those who voted in the affirmative were,
Messrs. Andros,
Briggs,
Hackleman,
Hepner,
Rogers,
Speaker.

Those who voted in the nagative were
Messrs. Barton,
Berry,
Blair,
Brierly,
Bunker,
Culbertson,
Felkner,
Goddard,
Jay,
Lewis,
McCulloch,
McMillan,
Newell,
Sales,
Steele,
Swearingen.
Thornton,
Walworth,
Wilson.

So the motion was lost.

The question was then taken upon agreeing to the original title of the bill;

Upon which question the yeas and nays were ordered;
Yeas 17; Nays 8.

Those who voted in the affirmative were,
Messrs. Barton,
Berry,
Blair,
Brierly,
Culbertson,
Felkner,
Goddard,
Jay,
Lewis,
McCulloch,
McMillan,
Newell,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,
Messrs. Andros,
Briggs,
Bunker,
Hackleman,
Hepner,
Rogers,
Sales,
Speaker.

So the title was agreed to.

Mr. Hepner moved that the House adjourn;

Which was lost.

No. 12, C. file, An act to locate a Territorial road from Jonathan H. Jenkins, in Linn county, to the city of Dubuque.

No. 29, C. file, An act to legalize the acts of Jacob Mintun, a Justice of the Peace;

And,

No. 30, C. file, An act to establish a Seminary of learning at Grandview, in Louisa county;

Were severally read a third time, passed and titles agreed to.

No. 32, C. file, Joint resolution, asking an appropriation to defray the expenses of a treaty with the Pottawottamie, Chippewa and Ottawa Indians:

Was read a third time and passed; when,
On motion of McMillan,
The House adjourned.

TWO O'CLOCK, P. M.

Mr. Brierly, upon previous notice and leave granted, introduced
No. 63, H. R. file, A bill for the relief of B. W. Gillock ex-Sheriff of Lee county;
Which was read a first time.

No. 45, H. R. file, A bill to provide for assessing and collecting County and Territorial revenue;
Being the order of the day, the House resolved itself into committee of the whole for the consideration of the same, Mr. Rogers in the chair; and,
After some time spent therein, the committee rose, and by their chairman reported the same back to the House with sundry amendments, but not having gone through with the bill, ask leave to sit again;
Which was granted.

Mr. Walworth, from the select committee, to whom was referred the petition of sundry citizens of Cedar county, relative to a certain road, reported,
No. 64, H. R. file, A bill to establish a certain Territorial road;
Which was read a first time.

Mr. Steele moved to take from the table the petition of sundry citizens of Lee county, asking a charter for a dam across the Des Moines river; which,
On motion of Mr. Brierly,
Was referred to the delegation from Lee and Van Buren counties.

The following message was then received from the Council, by their Secretary, Mr. Fales:
Mr. Speaker—The Council have passed
No. 50, H. R. file, An act to relocate a certain road.
No. 51, H. R. file, An act for the relief of Denton J. Snyder.
Also,
No. 37, C. file, An act to authorize Wm. Benham and David B. Sears to keep a ferry.
In which the concurrence of the House is requested.
Mr. Rogers moved that the House adjourn until 7 o'clock this evening;
Which was lost.
On motion of Mr. Hepner,
The House adjourned.

SATURDAY MORNING, JANUARY 21, 1843.

The House met pursuant to adjournment.

Mr. Walworth, from the committee on engrossed bills, reported that they had examined

No. 60, H. R. file, A bill to legalize the location of certain Territorial roads.

No. 59, H. R. file, A bill to amend an act entitled an act, for the incorporation of the town of Farmington.

No. 58, H. R. file, A bill to authorize Henry De Camp and Samuel H. Colyer to keep a ferry across the Mississippi at the town of Wyoming.

And find the same correctly engrossed.

Mr. Andros presented the petition of Thomas McCraney and James Churchman of the city and county of Dubuque, asking a charter to be granted to them to keep a ferry at said city of Dubuque; which,

On motion of Mr. Andros,

Was referred to the delegation from the Dubuque district.

Mr. Swearingen offered the following:

Resolved, by the Council and House of Representatives of the Territory of Iowa, That the Sergeant-at-Arms, Messenger and Fireman of said House, be allowed three dollars per day, for their services during the present session.

Which was agreed to.

Mr. Briggs gave notice that he would on some future day ask leave to introduce a bill to amend an act to prevent forcible entry and detainer.

Mr. Sales in accordance with previous notice given, submitted the following as the minority report of the committee on printing to whom was referred;

No. 34, H. R. file, A bill for the relief of Walter Butler;

The undersigned differing with the majority of the committee to whom was referred the above bill, ask leave to submit the following report:

The account of Mr. Butler reads as follows:

For rooms occupied by the Council and House of Representatives for the session of 1841 and '42; such sums as may be allowed by the Legislature. - - - -	——
For rooms used for Library twelve months, at ten dollars per month, - - - - - -	$120,00
Rooms for storing furniture, - - -	45,00
Removing furniture, - - - -	10,00

We are informed by the Secretary that Mr. Butler's account for rooms, for Library and storing furniture, is as per contract, and that Mr. Butler removed furniture for him, but that the worth of doing the same could not have exceeded five dollars. The undersigned would, however, recommend that Mr. Butler be allowed the sum of one hundred and twenty dollars for use of Library room; forty-five dollars for storage, and ten dollars for removing furniture, as charged in the bill. But with regard to the first, and if allowed, by far the largest part of said account, for rooms occupied by the Council and House of Representatives, we differ with the majority of your committee.

By an act of the Legislative Assembly of 1840 and 41, providing for the conditional removal of the temporary seat of government from Burlington, to Iowa City; the undersigned find that said removal was made to depend upon one of two contingencies. 1st. That the Capitol at Iowa City, should be so far completed as to be ready for the use of the Legislature. 2d. That the citizens of Iowa City should furnish rooms for the use of the Legislature, rent free. The Capitol was not ready for use, and the undersigned feel bound to believe that said rooms were tendered free of rent, otherwise the Legislature was not convened according to law. The undersigned find the name of Walter Butler with that of ninteen others, (citizens of Iowa City,) to a bond, binding themselves to Gov. Robert Lucas, or his successor in the penal sum of fifteen thousand dollars, to furnish rooms for the use of the Legislative Assembly, rent free, provided, that the Capitol in this city was not ready for use, and we are creditably informed that Mr. Butler assured Gov. Lucas that said building, used by the Legislature during the session of 1841 and '42, would be furnished by him free of rent, and that Gov. Lucas accordingly issued his proclamation for the Legislature to convene in this city. In view of the above facts, the undersigned are of the opinion that Mr. Butler can have no legal or equitable claim against this Territory, or the General Government, for rent of rooms occupied by the Council and House of Representatives, during the session of 1841 and '42.

DAVID J. SALES,
ABNER HACKLEMAN.

We would also recommend the adoption of the following resolution:

Resolved, by the Council and House of Representatives of the Territory of Iowa, That Walter Butler be allowed the sum of one hundred and seventy-five dollars for rent of rooms for Library and storing furniture, and for removing furniture, and that the Secretary be authorized to pay the same.

Mr. Rogers from the committee on the Judiciary to whom was referred

No. 24, C. file, A bill to authorize evidence by the oath of parties;

Reported the same back to the House without amendment.

Mr. Lewis, from the committee on enrolled bills, have laid before his Excellency, the Governor for his approval on the 20th instant;

An act to establish a Territorial road in Lee county.

Also,

An act to allow George Bumgardner and others further time to file in the Secretary's office, a plat of a survey of a certain Territorial road.

An act to legalize the acts of the Sheriff of Clayton county.

An act to relocate a part of a certain Territorial road in Henry county.

An act to incorporate the Scott county hydraulic company.

An act to locate a Territorial road from Moscow so as to intersect a road leading from Bloomington to Iowa City, at or near Hudson, in Muscatine county.

An act to repeal an act, entitled an act, relative to officers of the Legislative Assembly.

No. 57, H. R. file, A bill for establishing the prices of the public printing;

Was read a second time, and,

On motion of Mr. Walworth,

The House resolved itself into committee of the whole, Mr. Sales in the Chair; and,

After some time spent therein, the committee rose, and by their chairman reported the same back to the House with sundry amendments;

Which were concurred in.

Mr. Walworth moved to further amend by striking out in the third line of the fourth section, the words "two hundred and fifty impressions;"

Which was agreed to; when,

On motion of Mr. Walworth,

The same was ordered to be engrossed and read a third time on Monday next.

No. 61, H. R. file, A bill to establish a Seminary of learning at Nashville;

Was read a second time; and,

On motion of Mr. McCulloch,

Was ordered to be engrossed and read a third time on Monday next.

No. 62, H. R. file, A bill to authorize Arthur Town and others, to erect a dam part way across the Des Moines river;

Was read a second time; and the same was,

On motion of Mr. Barton,

Laid on the table.

No. 63, H. R. file, A bill for the relief of B. W. Gillock, ex-Sheriff of Lee county;

Was read a second time; and
On motion of Mr. McCulloch,
Was ordered to be engrossed and read a third time on Monday next.

No. 64, H. R. file, A bill to establish a certain Territorial road;
Was read a second time; and,
On motion of Mr. Walworth,
Ordered to be engrossed and read a third time on Monday next.

No. 58, H. R. file, A bill to authorize Henry De Camp and Samuel H. Colyer, to keep a ferry across the Mississippi river, at the town of Wyoming;
Was read a third time; and,
Upon the question,
Shall the bill pass?
The yeas and nays were ordered;
Yeas 19, Nays 6.

Those who voted in the affirmative were,
Messrs. Andros,
Barton,
Blair,
Brierly,
Briggs,
Felkner,
Goddard,
Hepner,
Jay,
Lewis,
McCulloch,
McMillan,
Newell,
Sales,
Steele,
Swearingen,
Thornton,
Walworth.
Wilson.

Those who voted in the negative were,
Messrs. Berry,
Bunker,
Culbertson,
Hackleman,
Rogers,
Speaker.

So the bill passed and the title was agreed to.

No. 59, H. R. file, A bill to amend an act entitled an act for the incorporation of the town of Farmington;
Was read a third time, passed and title agreed to.

No. 60, H. R. file, A bill to legalize the location of a certain Territorial road;
Was read a third time, passed and title agreed to.

Mr. Rogers moved that the consideration of the orders of the day be postponed for the present;
Which was agreed to; when,
No. 8, C. file, Joint resolution instructing our Delegate in Congress to procure an amendment to the Organic law;
Being returned from the Council with their disagreement to the amendment of the House;
Was taken up, when,

Mr. Walworth moved that the House recede from their first amendment, namely:

Inserting the words "Secretary and Governor;"
Which was lost.

Mr. Walworth then moved that the House insist upon their second amendment;
Which was agreed to.

Mr. Barton moved that the House recede from their third amendment;
Which was lost; when,
On motion of Mr. McMillan,
The House insisted upon their first and third amendments.

No. 37, C. file, An act to authorize William Benham and David B. B. Sears to keep a ferry;
Was read a first time.

No. 34, H. R. file, A bill for the relief of Walter Butler;
And the substitute for the same, reported by the select committee, to whom the same was referred, being under consideration;
Mr. Sales moved that the report of the minority of said committee be taken up;
Which was agreed to,
And the report read.

Mr. Felkner moved that the report be laid upon the table,
Which was lost.
Mr. Newell then moved to strike out the second section of the bill;
Upon which question the yeas and nays were ordered;
Yeas 18, Nays 7.

Those who voted in the affirmative were,
Messrs. Barton,
Blair,
Briggs,
Bunker,
Culbertson,
Hackleman,
Hepner,
Jay,
Lewis,
McMillan,
Newell,
Rogers,
Sales,
Steele,
Swearingen,
Thornton,
Wilson.
Speaker.

Those who voted in the negative were,
Messrs. Andros,
Berry,
Brierly,
Felkner,
Goddard,
McCulloch,
Walworth.

So the motion was agreed to.

Mr. Wilson moved to amend, by inserting the following:

"That unless the citizens of Iowa City pay to Walter Butler the sum of five hundred dollars, before the first day of September next, for the rent of his house occupied by the Legislature for the year 1841-'42, it shall be the duty of his Excellency, the Governor, to convene the next General Assembly at Mount Pleasant in Henry county, Iowa

Territory, and there to remain until the above sum of five hundred dollars is paid. When,

On motion of Mr. Newell,

The House adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Mr. Wilson's amendment to

No. 34, H. R. file, A bill for the relief of Walter Butler;

Being again under consideration,

Mr. Walworth moved

To strike out the following words: "And there to remain until the said sum of five hundred dollars is paid;"

Which was lost.

Mr. Rogers moved

To strike out "Mount Pleasant;" which was agreed to.

Mr. Sales then moved to insert "Burlington;" which was agreed to.

Mr. Felkner then moved

The previous question; which was agreed to.

The question being upon the adoption of the amendment of Mr. Wilson as amended;

Upon which question the yeas and nays were ordered;

Yeas 2, Nays 22.

Those who voted in the affirmative were,

Messrs. Blair,
Sales.

Those who voted in the negative were,

Messrs. Andros,
Barton,
Berry,
Briggs,
Bunker,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Jay,
Lewis,
McCulloch,
McMillan,
Newell,
Rogers,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.
Speaker.

Mr. Felkner moved

To amend by inserting the following:

Sec. 2. And that the sum of two hundred dollars be allowed him for rent of Secretary's office, to be paid out of any monies not otherwise appropriated.

Mr. Felkner moved

A call of the House, which was had;
The absent member appearing in his seat;
On motion of Mr. Felkner,
The further call was dispensed with.

Mr. Sales then moved
To amend by striking out "two hundred" and inserting "twenty-five;"
Which was lost.

Mr. Sales then moved
To amend by striking out "two hundred" and inserting "fifty;"
Which was lost.

Mr. Jay then moved
To strike out "two hundred;" which was agreed to.

Mr. Felkner moved
To fill the blank with "one hundred and seventy-five;"
Which was lost.

Mr. Bunker moved
To insert "one hundred."

Mr. Felkner moved
To insert "one hundred and fifty;" which was agreed to.

Mr. Newell moved
The following amendment: "And that said amount shall be in full of all demands held by Walter Butler, against the General Government, or this Territory for the rent of rooms;" which was lost.

The question was then taken upon the adoption of Mr. Felkner's amendment as amended by yeas and nays.

Yeas 14, Nays 11.

Those who voted in the affirmative were,

Messrs. Andros,	Felkner,	Steele,
Barton,	Goddard,	Swearingen,
Brierly,	Hackleman,	Thornton,
Briggs,	McCulloch,	Walworth.
Culbertson,	Rogers,	

Those who voted in the negative were,

Messrs. Berry,	Jay,	Sales,
Blair,	Lewis,	Wilson,
Bunker,	McMillan,	Speaker.
Hepner,	Newell,	

So the motion was agreed to.

Mr. Felkner then moved
That the bill be engrossed and read a third time on Monday next.
Upon which question the yeas and nays were ordered;
Yeas 15, Nays 10.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
McCulloch,
Rogers,
Steele,
Swearingen,
Thornton,
Walworth.

Those who voted in the negative were,

Messrs. Berry,
Blair,
Bunker,
Hepner,
Jay,
Lewis,
McMillan,
Newell,
Sales,
Wilson,
Speaker.

So the motion was agreed to.

No. 39, H. R. file, A bill to amend an act entitled an act, defining crimes and punishments;

Together with the report of the judiciary committee (to whom the same was referred) recommending the indefinite postponement of said bill, being under consideration;

On motion of Mr. Lewis,

The same was laid upon the table until Monday next.

No. 2, C. file, An act to regulate the mode of petitioning the Legislative Assembly in certain cases;

Together with the report of the select committee to whom the same was referred, recommending that the "second" and "third" sections of said bill be stricken out;

Which was agreed to.

Mr. Walworth moved

That the bill be read a third time on Monday next.

Upon which motion the yeas and nays were ordered;

Yeas 9; Nays 16.

Those who voted in the affirmative were,

Messrs. Berry,
Brierly,
Lewis,
McCulloch,
McMillan,
Steele,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Barton,
Blair,
Briggs,
Bunker,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Jay,
Newell,
Rogers,
Sales,
Swearingen,
Speaker.

So the motion was lost.

Mr. Lewis then moved

To refer the same to a select committee; which was lost.

Mr. Rogers moved

That the bill be indefinitely postponed.

Upon which question the yeas and nays were ordered;

Yeas 16; Nays 9.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Blair,
Briggs,
Bunker,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Jay,
Newell,
Rogers,
Sales,
Swearingen,
Speaker.

Those who voted in the negative were,

Messrs. Berry,
Brierly,
Lewis,
McCulloch,
McMillan,
Steele,
Thornton,
Walworth,
Wilson.

So the bill was indefinitely postponed.

No. 24, C. file, A bill to authorize evidence by the oath of parties;

Together with sundry amendments made by the judiciary committee, (to whom the bill was referred) being under consideration, which amendments were severally read and concurred in; when,

On motion of Mr. McMillan,

The bill was ordered to be read a third time on Monday next.

Mr. Rogers moved

To take from the table,

No. 16, H. R. file, A bill to amend an act entitled an act subjecting real and personal estate to execution, so as to increase the exemption of sheep and household furniture from sale under execution;

Which was agreed to;

Mr. Rogers then moved

That the bill be engrossed and read a third on Monday next.

Mr. Hepner moved

To amend by inserting after the word "hundred," the following: "Together with 25 head of Durham cattle and 50 head of Berkshire hogs;" when,

On motion of Mr. Newell,

The bill and amendment was laid upon the table.

On motion of Mr. McCulloch,

The House adjourned.

MONDAY MORNING, JANUARY 23, 1843.

The House met pursuant to adjournment.

The following message was received from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—The Council have appointed Messrs. Springer, Leffler and Wm. Patterson, a committee of conference on the part of the Council, relative to the disagreement of the two Houses, on

No. 8, C. file, Joint resolution instructing our Delegate in Congress to procure an amendment to the Organic law.

The Council have passed

No. 53, H. R. file, An act to relocate a part of a certain Territorial road in Henry county.

No. 38, H. R. file, A joint resolution requesting our delegate in Congress to procure the establishment of a Post Office, and for other purposes.

No. 44, C. file, An act to relocate the Territorial road leading from Burlington, in Des Moines county, via. Fort Madison in Lee county, to the bridge on Sugar creek in said county.

In which I am directed to ask the concurrence of the House.

I herewith return

An act to legalize the acts of George Duden, a justice of the peace.

An act to authorize the County Commissioners of Johnson county to vacate a part of the Territorial road leading from Wyoming to Iowa City; also, to relocate a part of said road;

The same having been signed by the President of the Council.

Mr. Berry presented the petition of sundry citizens of Iowa Territory, remonstrating against the sale of intoxicating spirits; which,

On motion of Mr. Berry,

Was referred to a select committee of three.

The Chair appointed Messrs. Berry, Sales and McMillan, said committee.

Mr. Brierly presented the petition of sundry citizens of Lee county, (occupying the half breed land in said county), asking certain privileges in relation thereto; which,

On motion of M. McCulloch,

Was referred to the delegation from Lee connty.

Mr. McMillan presented the petition of sundry citizens of Henry county, asking certain alterations in the present law relating to the sale of real and personal estate; which,

On motion of Mr. McMillan,
Was laid on the table.

Mr. Robertson presented the petition of sundry citizens of Scott county, asking that certain privileges be granted to Isaac R. Vanausdol and Ambrose C. Fulton; which,
On motion of Mr. Robertson,
Was referred to the committee on corporations.

Mr. Culbertson presented the petition of sundry citizens of Jefferson county, asking the relocation of a certain Territorial road in said county, also,
A remonstrance in relation to the same subject; which,
On motion of Mr. Culbertson,
Were referred to the committee on roads and highways.

Mr. Walworth presented the petition of sundry citizens of Cedar county, asking that William Dillon and John Dillon be authorized to keep a ferry across Cedar river; which,
On motion of Mr. Walworth,
Was refered to the Delegation from Cedar, Linn and Jones.

Mr. Walworth offered the following:
Whereas, the Iowa Capitol Reporter, a newspaper published in this city, contains an article under the head of the "Miners' Bank," charging members of this Legislature, with having been influenced in their Legislative action upon a bill now pending for the repeal of the charter of said bank, in the following words, to wit:

"It is necessary for us to state and inform the public that they have a much more substantial argument for so sudden and great a change. *Some offers and promises of personal reward and private advantage, have, it is well known here, been made from a certain quarter to certain members of the Legislature in consideration that they will interpose* to save the Bank. There might have been some delicacy in putting this into the manifesto, but it *undoubtedly had more weight* in the change of opinion, than an expectation that the State Bank of Illinois unable to redeem its own bills, can spare $50,000 to carry on business abroad."

And whereas, said charge, if true, renders such members guilty of the crime of receiving bribes and consequently liable to fine and expulsion from this House, and also renders those offering said bribe, guilty of a high offence, which should not be passed unnoticed.

Therefore,

Resolved, That a committee of five be appointed, with instructions to cause Jesse Williams & Thomas Hughes, editors of said Reporter, to appear before said committee, and to them give testimony under oath in relation to said charge; also for such other persons and papers as they may deem proper, relating to the subject of said charge and report to the House without delay.

The question being upon the adoption of said resolution;

The yeas and nays were ordered;

Yeas 22, Nays 3.

Those who voted in the affirmative were,

Messrs. Andros,	Goddard,	Robertson,
Barton,	Jay,	Sales,
Berry,	Lewis,	Steele,
Blair,	McCulloch,	Swearingen,
Briggs,	McMillan,	Walworth,
Bunker,	Newell,	Wilson,
Culbertson,	Rogers,	Speaker.
Felkner,		

Those who voted in the negative were,

Messrs. Brierly,	Hackleman,	Hepner.

So the resolution was adopted.

The question was then taken upon the adoption of the preamble, and agreed to.

The Chair then appointed Messrs. Walworth, Bunker, Felkner, Hepner and Newell, a committee in compliance with said preamble.

The following message was received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—I am directed to present for your signature,

A Joint resolution, asking an appropriation to defray the expenses of a treaty with the Pottawottamie, Chippewa and Ottawa Indians.

An act to establish a Seminary of learning at Grandview, in Louisa county.

An act to legalize the acts of Jacob Mintun, a justice of the peace.

An act to locate a Territorial road from Jonathan H. Jenkins in Linn county, to the city of Dubuque.

Mr. Robertson gave notice that he would, on or some future day, ask leave to introduce,

A bill to amend an act entitled an act to abolish imprisonment for debt.

Mr. Barton, from the committee on engrossed bills, reported that they had examined,

No. 57, H. R. file, A bill to establish the prices for public printing.

No. 34, H. R. file, A bill for the relief of Walter Butler.

No. 63, H. R. file, A bill for the relief of B. W. Gillock, ex-Sheriff of Lee county.

No. 62, H. R. file, A bill to establish a Seminary of learning at Nashville.

And,

No. 64, H. R. file, A bill to establish a certain Territorial road.

And find the same to be correctly engrossed.

Mr. Lewis, from the committee on enrolled bills, reported that they had examined,

An act to relocate a certain Territorial road.

Also,

An act to amend an act to incorporate the city of Dubuque.

And find the same to be correctly enrolled.

Mr. Hepner, from the select committee, to whom was referred,

No. 23, H. R. file, A bill to repeal the charter of the Miners' Bank of Dubuque and to provide for winding up the affairs of the same;

Submitted the following majority report:

The committee to whom was referred "a bill to repeal the charter of the Miners' Bank of Dubuque, and to provide for the winding up of the affairs of the same," report the same back to the House without amendment, and recommend its passage. The committee also report the following testimony as delivered before said committee by Messrs. Joseph T. Fales, Timothy Davis and —— Mobley.

Mr. J. T. Fales says, that he believes the stock of the bank was never paid in any other way, than by the stock holders giving their notes to the institution. That the bank suspended specie payment the last of March, 1841, and resumed the 1st. of July, 1842, and paid specie for her notes about one week, when she again suspended, and has not redeemed any of her paper in specie since. That he had presented at the counter of the bank, her notes for redemption, and she had refused payment. That the officers of the bank threatened to shoot the constable of Dubuque, if he persisted in attempting to serve a writ of attachment on the property of the bank, or if he attempted to open the doors of the institution. That Mr. Quigley, one of the directors, has a notice in his store, "*Notes of the Miners' Bank of Dubuque, taken here.*" He paid him (Mr. Fales,) forty cents on the dollar. That the notes were worth from thirty-seven to forty cents on the dollar when he left home, and that he believed nearly every person wanted the institution wound up, excepting those interested in it.

Mr. Timothy Davis, one of the bank directors, testifies, that for the purpose of qualifying him to act as director, he was handed a certificate of fifty dollars for stock paid into the bank, when in fact he was not interested in the institution one cent, and intended to return the certificate when he ceased acting as director. That Messrs. Farley, Waples, Quigley and Wallard, were qualified and became directors at the same time and in the same manner that he did. That in July last, the St. Louis Gas Light Company deposited in Galena twenty thousand dollars, for the purpose of receiving the Dubuque money, and that the bank did redeem for about one week in July last. That there are outstanding notes of the bank; besides what are in the hands of the Gas Light Company, eight thousand dollars; to redeem which the bank has about one thousand dollars in specie. Lately the interest of the Gas Light Company in said bank, has been transferred to Thomas Mather, of Springfield, President of the State Bank of Illinois.

Mr. Mobley, of Springfield, testifies, that Dr. Barrett and Thomas Mather are the principal owners of the bank, and that they expect to recusitate it. That he was employed by them to examine the condition of the institution. That Saint John, of St. Louis, was permitted to become a stock holder to the amount of forty thousand dollars, by giving his notes to the institution, and afterwards became indebted to the bank by way of loans, fifty-seven thousand dollars, all of which is a clear loss to the institution, with the exception of the difference in the worth of the stock when taken, and now which is but a trifle, for it was worth nothing then, nor is it worth any thing yet. The above loss was occasioned by Saint John's failure in business, and by his having taken the benefit of the Bankrupt act.

[Your committee in justice to the bank and those friendly to it, deem it to be their duty to say, that they have only given such parts of the testimony as they believed to be material and relevant to the points in issue.]

From the foregoing testimony, it will be seen that in three essential particulars, the charter of the Miners' Bank of Dubuque, has long since been violated and consequently forfeited, to wit:

1st. By commencing business before the required amount of the capital stock subscribed had been paid in, as appears by the testimony of Mr. Fales. The 20th sec. of the charter expressly provides that the "bank shall not issue any bill or note until the sum of forty thousand dollars in the legal coin of the United States shall be paid into the corporation by the stockholders as a part of the stock." The testimony states that "the stock subscribed was never paid in any other manner than by the stockholders giving their notes to the institution." Here then was a violation, and consequently a forfeiture of the charter by the bank in its first attempt to do business in its corporate capacity, because it proceeded illegally, and directly contrary to the provisions of the act which gave it existence. The design of such a provision was doubtless to secure the public against loss or imposition from the issues of said bank. The public would naturally look to the law to ascertain the terms of the charter, and the security they would have in receiving the notes of the bank. They would find that the law stipulated for forty thousand dollars, "in the legal coin of the United States," as the basis of the first issue. Relying upon the security thus provided for by the law, and not suspecting that the bank would act otherwise than in good faith towards the public and in strict compliance with the requisitions of its charter, the community generally were induced to receive its notes and to give currency and credit to the same. What amount was actually paid in, your committee have not been able to ascertain—but are inclined to believe that it was small, compared with the amount stipulated for in the act granting the charter. This sum, however, be it great or small, does not and cannot alter or affect the illegal proceeding of the bank. To commence business upon any amount less than that specified in the charter, was a violation and a forfeiture of that charter, and a fraud upon the public. If it was legal to commence operations before the full amount provided for had been received, it would have been equally legal to have commenced operations before the first cent of its capital had been counted. And if the bank designed to commit a fraud upon the public, it might have based that fraud upon a capital of three cents with the same legality as upon a capital of three thousand dollars. The result would have been the same in law, the same to the public, and from all your committee can learn, the same to the bank. Your committee would further add, that they have not been able to ascertain that ANY stock was paid into the bank otherwise than by the individual notes of the stockholders—and they have therefore come to the conclusion that it is most probable that not one cent of the capital stock has ever been paid "in the legal coin of the United States." This being the case, it is not only clear that the charter was violated, but that it was most wantonly violated, and a base fraud perpetrated upon public confidence, which should meet as it merits, the most swift and effective correction.

2d. Your committee are also of opinion that the charter of said bank was violated and forfeited by the election of individuals, as directors, who owned no stock in the bank. The 5th sec. of the law confirming the charter, says, "*the directors shall all be stockholders in this institution.*" The testimony of Mr. Davis shows that he (Mr. Davis) was elected a director of that institution—and that to "qualify him to act he was handed a certificate of $50 for stock paid in, while in fact he did not own a cent of the stock, and intended to return the certificate when he ceased to act as a director." And further, that Messrs. Farley, Waples, Quigley and Wallard, were qualified and made directors in the same manner that he had been; to wit: by having handed them each a certificate of stock, while in reality neither of them owned a cent in the institution. In the opinion of your committee, this mode of "qualifying" individuals as directors in an institution in which they own no stock, is contrary to the spirit of the law granting the charter; a gross evasion of its provisions—and a reckless abuse of its privileges, which ought to be met not only with the severest public reprehension, but with an immediate and absolute repeal of the authority under whose abused provisions this dishonest practice has been so frequently committed. The law contemplates a *bona fide* ownership of stock in the institution to qualify an individual to become a director. The testimony shows that at least five of the directors are not owners of any stock in the institution, and that the certificates which they *hold*, but *do not own*, were *handed* them merely to qualify them for the time being, and this too, it would seem, with the implied understanding that they should return these certificates to the bank when they ceased to act in the capacity of directors. Your committee doubt whether even the technicalities of a court of law, would tolerate this evident evasion of the provisions of the charter—but be this as it may, confident your committee are, that the public judgment would revolt at such an unscrupulous abuse of incorporated power, and so reckless a disregard of the public interest.

3d. The third and greatest delinquency of the bank, and which, in itself, in the opinion of your committee, works an absolute forfeiture of its charter, in its entire suspension of specie payments. The latter part of the 10th section of the charter provides that "bills or notes, which may be issued by order of said corporation, promising the payment to any person or persons, his, her or their order or bearier, though not under the seal of the said corporation, shall be binding and obligatory upon the same in like manner, and with like force and effect, as upon any private person or persons, if issued by him, her, or them, in his, her, or their private or natural capacity or capacities, and shall be assignable and negotiable in like manner, as if they were issued by such private person or persons; *and all such bills, obligatory and of credit, and such bills, notes and post notes, issued as aforesaid, shall be paid by the said corporation when demanded at their banking-house, in the legal coin of the United States.*"

The testimony of one of the witnesses shows, what is already a matter of public notoriety, that the said bank suspended specie payment about the last of March, 1841, and remained in a state of suspension for a period of fifteen months, at the end of which time (about the 1st. of July, 1842,) it resumed, and continued specie payments for one or two weeks, when it again suspended, and has remained suspended from that time up to the present, a period of some seven months. Thus, for the twenty-two months past, excepting one or two weeks, the said bank has uniformly refused to pay specie according to the terms of its charter upon all such of its notes as have been presented at its counter; thereby not only violating its charter, but inflicting a deep injury upon the holders of its bills, who are compelled unavoidably to bear whatever ruinous discount must ensue upon said bills being dishonored by the bank itself. The last section of the charter (23) provides, "that if said corporation shall fail to go into operation, or shall abuse or misuse their privileges under this charter, it shall be in the power of the Legislative Assembly of this Territory, at any time, to annul, vacate and make void this charter."

If there were no other authority by which the Legislature could repeal the charter of said bank, the provision just quoted would certainly confer that authority to the fullest extent. But your committee hold that any subsequent Legislature has the right to repeal any of the acts of a preceding Legislature, whether there be a repealing clause in said act or not; because one Legislature has no more right to trammel the acts of a succeeding one than it has to shackle posterity with taxes. And your committee hold that it is not only the right, but the duty of the Legislature, to repeal any act which is odious to the people, or is, or may be made dangerous to, or destructive of their interests.

The act conferring the charter of the Miners' Bank of Dubuque, your committee believe to be peculiarly subject to these objections. It is odious because it is shameless and reckless in the abuse of its privileges, and has been and is destructive of the interests of the people, because by its suspension it has swindled and is now daily swindling the public out of large sums of money in the consequent depreciation of its notes.

Your committee also hold that, by commencing business before the requisite amount of the legal coin was paid in, by making directors of individuals who owned no stock in the institution, and by refusing to pay specie for its notes, the charter of said bank has been already forfeited, because the act giving it existence, provides expressly against each and all of these abuses. And your committee further believe, that all the proceedings of the bank in its corporate capacity, subsequently to the forfeiture of its charter by reason of either of the above abuses have been fraudulent and that the directors are subject to prosecution accordingly. But, be this opinion right or wrong, your committee think there can be no doubt as to the fact of the forfeiture of the charter, and more especially no doubt, as to the power of the Legislature to annul and vacate the same.

And taking into consideration the monstrous abuse which have been already committed by this corrupt institution, together with the injury it may yet inflict, if not deprived of all appearance of corporate vitality, your committee would again recommend to the House the immediate passage of the bill referred to them, which provides for the unconditional repeal of the charter of said bank, and for winding up of the affairs of the same.

It has been suggested that on the dissolution of a corporation, its real estate reverts to the former owner, who had conveyed it to the corporation, and a decision of the Court in Indiana in the case of the State Bank vs. the State, is referred to as the ground of such an opinion. Your committee, upon examination, are well satisfied that such is not the doctrine of law. A corporation may hold an estate in fee simple as an individual may. It is a person civil in law, and has the same capacity for taking and holding real estate as a person natural.

It has been well said that a wise judge will not be too free in assigning reasons for his opinion: and the force of the saying is very apparent in the above case. That was not the point to be decided, nor was it the principal reason that led the court to its conclusion. It was thrown in as a make weight. The question before the court was as to the validity of a certain judgment which directed the property, including real estate, to be seized as *forfeited* by a violation of its charter, and the court well decided that its real estate was not forfeited, but only its franchise. The act now before the Legislature does not contemplate a forfeiture of the real estate of the bank, nor direct it to be seized as forfeited for the public. It directs and carries into effect an assignment of the property for the benefit of the creditors, in the manner and for the purpose that a bankrupt's estate is passed to assignees.

In the case quoted for the very singular doctrine that a corporation looses its real estate by its dissolution, there seems to be a misapplication of a very plain common sense doctrine in relation to tenure of particular estates held by certain kinds of corporations for special limited purposes. When that doctrine was first established, corporations were altogether or mostly eleemosynary and muncipal, that, is for charitable, religious and literary purposes, or for the government of the towns and districts, and their estates came to them by gift, for some special purpose limited in the devise or deed, as to construct certain edifices, or to maintain certain officers proper to their government of the city, or to the instruction or support of the benficiaries. A grant made in the same way to an *individual* would stand on the same ground as a grant to a corporation, and when the estate was no longer used for the intended purpose, it would revert to the grantor.—There was also an act passed in the English Parliament, in the reign of Elizabeth, restricting corporations in this particular, which has had much control over the decisions in that country, but which was never adopted in this.

But the above doctrine has no application whatever to estates purchased in fee without condition, which can be as well made by corporations as individuals. (See Bacon's Abr. vol. 2, p. 262, and Am. Com. Law, vol. 3.) But even if it were otherwise, and the estate would, in all cases, revert by the common law. Still this case does not depend on the common law, but on statute. By the act for incorporating the bank, section 4, it is enacted that the bank shall be capable of purchasing and holding any estate. The words are very general and broad, and must be taken to include a fee simple or other estate, as there is no limitation. And while the corporation is yet in existence and before it is dissolved, and of course before there can be any forfeiture of its estate, in any view, by reason of its dissolutions, another statute (the bill now before us) steps in and assigns the property for the benefit of creditors. We have no doubt the Legislature could do this, even on the supposition, that the doctrine of reversion was correct to the full extent.

One or two instances of the operation of such a doctrine as that contended for, may be more satisfactory to some, than the reasoning of your committee. The State Bank of Illinois has real estate exceeding in value, one million of dollars, and the late Bank of the United States had a banking house erected at a cost of six hundred thousand dollars, all of which, if the doctrine of reversion be true, would go back to those persons who sold the land to these banks, and received their pay therefor.

All of which is respectfully submitted with a request, that the committee be discharged from the further consideration of the subject.

Mr. Rogers moved to lay said bill on the table;
Which was agreed to; when,
On motion of Mr. Rogers,
The House adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

The report of the committee to whom was referred,
No. 23, H. R. file, A bill to repeal the charter of the Miners' Bank of Dubuque, and to provide for the winding up of the affairs of the same; was,
On motion of Mr. Hepner,
Taken from the table and read; when,
On motion of Mr. Walworth,
The same was ordered to lie on the table until to-morrow.

No. 37, C. file, An act to authorize William Benham and David B. Sears to keep a ferry;
Was read a second time; and,
On motion of Mr. Robertson,
The same was ordered to be read a third time on to-morrow.

No. 24, C. file, A bill to authorize evidence by the oath of parties;
Was read a third time, passed and title agreed to.

No. 48, H. R. file, A bill providing for and regulating general elections in this Territory;
Being the order of the day, was considered in committee of the whole, Mr, Steele in the chair; and,
After some time spent therein, the committee rose, and, by thei chairman, reported progress, and asked leave to sit again;
Which was granted.

No. 45, H. R. file, A bill to provide for assessing and collectin County and Territorial revenue;
Being the order of the day was resumed in committee of the whol Mr. Rogers in the chair; and,

After some time spent therein, the committee rose and by their chairman reported the same back to the House with sundry amendments.

The question on agreeing to the amendments, was taken separately.

The first amendment, viz: insert after the word "dollar" in the fourth line of the first section, "the property of all bodies corporate or politic, all capital employed in merchandising, all capital employed by exchange brokers, all capital employed by money lenders, all distilleries, and all stock in steam boats; was agreed to.

On the question, will the House agree to the second amendment, to the first section, namely, strike out the word "sheep," in the seventh line?

The yeas and nays were ordered;
Yeas 16, Nays 7.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Berry,
Briggs,
Bunker,
Culbertson,
Felkner,
Goddard,
Hepner,
Jay,
Lewis,
McCulloch,
Sales,
Swearingen,
Wilson,
Speaker.

Those who voted in the nagative were

Messrs. Brierly,
Hackleman,
McMillan,
Newell,
Robertson,
Rogers,
Steele.

So the amendment was agreed to.

The question upon agreeing to the amendment to the seventh section, to wit: strike out the following:

"First rate shall be valued at eight dollars per acre; second rate at five dollars per acre; third rate at three dollars per acre; fourth rate at two dollars per acre, and fifth rate at one dollar and twenty-five cents per acre."

And insert:

"All lands shall be valued at their true value in money, taking into consideration the fertility or quality of the soil, the general improvement of the country, the vicinity of the same to public roads, towns, villages, navigable rivers, water privileges on the same or other public improvements with any other local advantages of situation, having no reference to the value of the improvements upon each particular farm upon actual view of the premises."

Upon which question the yeas and nays were ordered;
Yeas 16; Nays 10.

Those who voted in the affirmative were,

Messrs. Barton,
Berry,
Blair,
Briggs,
Bunker,
Felkner,
Goddard,
Jay,
McMillan,
Newell,
Sales,
Swearingen,
Walworth,
Wilson,
Speaker.

Those who voted in the negative were,

Messrs. Andros,
Brierly,
Culbertson,
Hackleman,
Hepner,
Lewis,
McCulloch,
Robertson,
Rogers,
Steele.

So the motion was agreed to.

The following amendments were then severally read and concurred in, namely:

Strike out the ninth section, and insert:

"That all personal property shall be taxed according to its real value in cash, which shall be determined by the assessor."

In the 14th section, strike out "three per cent. on the total amount of assessed value by them returned in each township (or precinct)," and insert "the sum of two dollars per day."

In the 17th section, first line, strike out "August," and fill the blank in said section, "with double the amount of taxes assessed in his county."

In the 25th section, after the word "annum" in the 10th line, insert "And the Clerk shall note the same in a book to be kept by him for that purpose, and redeem said lands from said purchasers, for which said Clerk shall receive as a compensation for such redemption, the sum of twenty-five cents for each eighty acres, and the same for each town lot, which sum said claimant shall pay said Clerk before redemption." Also after the word "minors" in the 17th line of said section, insert "insane persons, or persons in confinement."

In the 36th section, strike out all after the word "county," in the second line.

In the 37th section, second line, strike out "his county" and insert "their counties;" in the third line, strike out "him" and insert "them;" in the fourth line, strike out "he" and insert "they."

In the 40th section, in the fifth and sixth lines, strike out "without due diligence."

And on the question, will the House concur in the second amendment to said 40th section, to wit: In the eighth line strike out "ten," and insert "twenty?"

The yeas and nays were ordered.

Yeas 16, Nays 8.

Those who voted in the affirmative were,

Messrs. Andros,
Berry,
Brierly,
Briggs,
Bunker,
Culbertson,
Felkner,
Hackleman,
Hepner,
Lewis,
McCulloch,
Robertson,
Rogers,
Sales,
Steele,
Speaker.

Those who voted in the negative were,

Messrs. Barton,
Blair,
Goddard,
Jay,
McMillan,
Newell,
Swearingen,
Wilson.

So the amendment was concurred in.

The following amendment to the 50th section, to wit: After "1841" insert "and all other acts contravening this act;" also after the word "to" in the second line of the 56th section, insert "the election of," and after "assessors" insert "in each township or precinct;"

Which amendments were concurred in.

Mr. Swearingen then moved

To amend the 56th section in the second line, by striking out "Monday" and insert "day;"

Which was agreed to.

Mr. Wilson then moved

To amend the 39th section, by striking out "five" in the first line and inserting "four;"

Which was lost.

Mr. McMillan moved

To strike out all of section 7, after the word "Territory" in the 11th line;

Which was lost.

Mr. Felkner then moved

To amend the 25th section, by striking out all after the word "redeemable" in the 18th line, and inserting "within one year after such disability shall have been removed;"

Which was agreed to.

Mr. Hackleman moved

To refer the bill to a select committee of three;

Which was agreed to; and

The chair appointed Messrs. Hackleman, McMillan and Newell, said committee; when,

On motion of Mr. Briggs

The House adjourned.

TUESDAY MORNING, JANUARY 24, 1843.

The House met pursuant to adjournment.

Mr. Robertson presented the petition of Laurel Summers, asking the allowance of a certain claim; which,

On motion of Mr. Robertson,

Was referred to the committee on claims.

Mr. Goddard offerred the following:

Resolved, That the committee to whom was referred,

No. 45, H. R. file, A bill to provide for assessing and collecting County and Territorial revenue;

Be instructed so to amend said bill, as that it shall establish the principle of assessing all the real and personal property, at what it shall be worth in cash, including the improvements on claim land, to be assessed as personal property, except such property as shall be exempted by law.

Upon which the yeas and nays were ordered;

Yeas 16, Nays 8.

Those who voted in the affirmative were,

Messrs. Barton,
Berry,
Blair,
Brierly,
Bunker,
Felkner,
Goddard,
Hepner,
Jay,
Lewis,
McCulloch,
Newell,
Robertson,
Sales,
Wilson,
Speaker.

Those who voted in the negative were,

Messrs. Andros,
Briggs,
Culbertson,
Hackleman,
McMillan,
Rogers,
Steele,
Swearingen.

So the resolution was adopted.

Mr. Bunker gave notice that he would, on some future day, ask leave to introduce

A bill to change the location of a certain Territorial road in Washington county.

Mr. Felkner, from the committee on Public Buildings, to whom was referred the report of the Territorial Agent, reported,

No. 65, H. R. file, A bill to define the duties of the Territorial Agent and for other purposes;

Which was read a first time; and,

On motion of Mr. Hepner,

Fifty copies of the same was ordered to be printed.

Mr. Lewis, from the committee on enrolled bills, reported that they had examined,

A joint resolution requesting our Delegate in Congress to procure the establishment of a post office, and for other purposes.

An act for the relief of Denton J. Snyder.

An act to relocate a part of a Territorial road in Henry county.

And find the same correctly enrolled.

The committee have also laid before the Governor on the 24th instant, for his approval:

An act to legalize the acts of George Duden a justice of the peace.

An act to authorize the County Commissioners of Johnson county, to vacate a part of a Territorial road leading from Wyoming to Iowa City, also to relocate a part of said road.

Mr. Bunker on previous notice and leave granted, introduced

No. 66, H. R. file, A bill granting further time to Henry Harden to file a plat of a certain Territorial road in the office of the Secretary;

Was read a first time.

Mr. Newell asked and obtained leave of absence for Mr. Thornton, until to-morrow.

No. 57, H. R. file, A bill for establishing the prices of the public printing;

Was read a third time; and

On motion of Mr. Barton,

The same was referred to a select committee of three.

The chair appointed Messrs. Barton, Hepner and Walworth said committee.

No. 34, H. R. file, A bill for the relief of Walter Butler;

Was read a third time.

Mr. Newell moved

A call of the House, which was had;

And after some time, the absent members appearing in their seats, the further call of the House was

On motion of McMillan,

Dispensed with.

The question recurring upon the passage of the bill, and,

Upon which question the yeas and nays were ordered;

Yeas 13, Nays 12.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
McCulloch,
Robertson,
Rogers,
Steele,
Swearingen.

Those who voted in the negative were,

Messrs. Berry,
Blair,
Bunker,
Hepner,
Jay,
Lewis,
McMillan,
Newell,
Sales,
Walworth,
Wilson.
Speaker.

So the bill passed and title was agreed to.

No. 37, C. file, An act to authorize William Benham and David B. Sears to keep a ferry;

Was read a third time, passed and title agreed to.

Mr. Barton, from the select committee, to whom was referred

No. 57, H. R. file, A bill to establish the prices for public printing;

Reported the same back to the House with amendments, which were concurred in; when,

On motion of Mr. McMillan,

The 42d rule was suspended, and the same

Was read a third time, passed and title agreed to.

No. 61, H. R. file, A bill to establish a Seminary of learning at Nashville;

No. 63, H. R. file, A bill for the relief of B. W. Gillock, ex-Sheriff of Lee county;

And,

No. 64, H. R. file, A bill to establish a certain Territorial road;

Were severally read a third time, passed and titles agreed to.

No. 8, C. file, Joint resolution instructing our Delegate in Congress to procure an amendment to the Organic law;

Being returned from the Council with a message informing the House, that the Council insist upon their disagreement to the amendments of the House, and have appointed a committee of conference in relation thereto, being under consideration,

Mr. Robertson moved,

That a committee of conference, on the part of the House, be appointed in relation to the same;

Which was agreed to; and,

The Chair appointed Messrs. Robertson, Hepner and Andros, said committee.

No. 44, C. file, A bill to relocate the Territorial road leading from Burlington, in Des Moines county, via. Fort Madison in Lee county, to the bridge on Sugar creek in said county;

Was read a first time.

No. 48, H. R. file, A bill providing for and regulating general elections in this Territory;

Was resumed in committee of the whole, Mr. Robertson in the Chair; and,

After some time spent therein, the committee rose, and by their chairman reported progress asked leave to sit again;

Which was granted.

The following message was received from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—The Council have passed

No. 22, H. R. file, Memorial for a grant of land for a canal at each of the Rapids of the Mississippi river.

No. 33, C. file, An act concerning mortgages.

No. 38, C. file, An act to regulate weights and measures.

No. 41, C. file, An act regulating mills and millers, and for other purposes.

No. 49, C. file, An act for opening and regulating roads and highways.

No. 59, H. R. file, An act to amend an act entitled an act for the incorporation of the town of Farmington.

No. 60, H. R. file, An act to legalize the location of certain Territorial roads.

On motion of Mr. McMillan,

The House adjourned.

TWO O'CLOCK, P. M.

On motion of Mr. McMillan,

No. 48, H. R. file, A bill providing for and regulating general elections in this Territory;

Was resumed in committee of the whole, Mr. Robertson in the chair; and,

After some time spent therein, the committee rose, and by their chairman reported the same back to the House with sundry amendments;

Which were concurred in; when,

On motion of Mr. Barton,

The same was referred to a select committee of three.

The Chair appointed Messrs. Barton, Andros and Sales, said committee.

The following message was then received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—I herewith return

An act to amend an act to incorporate the city of Dubuque.

An act for the relief of Denton J. Snyder.

An act to relocate a certain Territorial road.

An act to relocate a part of a certain Territorial road in Henry county.

A joint resolution requesting our Delegate in Congress to procure the establishment of a post office, and for other purposes.

All of which have been signed by the President of the Council.

Mr. Walworth, from the committee, to whom was referred,

No. 23, H. R. file, A bill to repeal the charter of the Miners' Bank of Dubuque and to provide for winding up the affairs of the same;

Submitted the following as the minority report of said committee:

The undersigned members of the select committee to whom was referred said bill, would respectfully represent that they cannot agree with the majority of said committee in recommending the passage of the above bill without amendment, for the following reasons:

1st. Because, by a full and unconditional repeal of the charter of a private corporation, all its real estate reverts to the grantor and his heirs. The personal estate in England vests in the king, and in this country in the people or state. The debts due to and from it, are totally extinguished, so that neither the members or directors of the corporation can recover or be charged with them. For authority, see Angel and Ames, page 513; for further authority, see Harrington's Reports, page 115, in the case of the Commercial Bank vs. Lockwood, administrator. Upon this page, reference is made to Blackford's Indiana Reports, page 267. It is there held that the lands of the corporation reverted to the grantor and his heirs, and its goods and chattels vested in the state, at the moment of the civil death of the corporation, and that the debts due to and from it, were extinguished by the dissolution, so that it was impossible in the nature of things to seize the rights and credits, because their existence ceased the instant the claim of the state accrued, which was the instant the corporation was dissolved, and at that instant the debts were extinguished and had ceased to exist. The forfeiture of the charter and the seizure of the property and debts were decreed by the Court below, in one and the same sentence, the Supreme Court decided that a judgment to seize the debts, given in the same breath with that of the forfeiture, could not be sustained, becaus the debts were extinguished and forever gone the moment the corpora tion was dissolved, and that they could never be recovered by suit.

Thus, it will be seen, that should the bill pass and become a law as reported to this House by Mr. Rogers, the entire assets of the Bank amounting to over $30,000, would be entirely lost to the bill-holder and creditors.

The undersigned also object to the other provisions of the bill, whic provide that the Trustees shall be appointed by the Judge of the thi Judicial District, with full power to take possession of the entire asse of the Bank, to collect and pay over its money, and settle all its affai and those Trustees to give bonds to be approved by said Judge, a that the time allowed for winding up may be extended by said Judge, and that the pay to be allowed to the Trustees shall be fixed by said Judge, and that they shall be required to report their doings to the said Judge from time to time, as may be required by him; and also that they shall make their final report to the said Judge, and the said Judge shall sit in judgment in all suits to which the Bank is a party. Thus, it will be seen, that the whole assets of the Bank are placed in the hands or control of a single individual. The undersigned would here say that they have the fullest confidence in the person here alluded to, and believe him to be a gentleman of unimpeachable integrity, but yet they are opposed to the principle of concentrating powers in the hands of any individual, unguarded by proper checks to its abuse.

The undersigned, therefore, deem the bill, as reported by a majority of the committee, as exceedingly objectionable in nearly all its provisions, and indicating a total disregard of the interests of the stockholders, bill-holders and creditors of the Bank.

The undersigned have examined under oath several witnesses in relation to the former management and present condition of the Bank. By reference to the charter, it will be seen that it was chartered on the 30th day of November, 1836. From the testimony it appears that she continued to do business, paying specie on all her liabilities for between four and five years. She first suspended specie payment in March, 1841, which was several months after the banks in Illinois and elsewhere had suspended. She remained in a state of suspension until July, 1842, during which time she continued to redeem her notes in other current funds, such as the bills of the Illinois, Indiana, and Kentucky banks. She also had arrangements made with the Land Office, by which the bills were received to some small extent in payment for land. She also accommodated the citizens to some extent by paying specie in small amounts for her bills of the denomination of five dollars.

On resuming, she paid specie a short time both in Dubuque and St. Louis—paid out in Dubuque about $19,000 and in St. Louis $6,000, making in all about $25,000; all of which has been paid out since she has put any of her bills in circulation.

She had arrangements made by which $20,000 was deposited in Galena, subject to her order; $10,000 of which was countermanded. By which dissappointment, she was compelled to suspend, having in circulation at this time $8,000 not within the control of the stockholders.

At this time, the Territory was owing the Bank $5876, which was for money borrowed by Jesse Williams, the Territorial Agent, and expended on the Capitol. This sum, together with the specie then in the possession of the Bank, would have been sufficient to have redeemed all the money the Bank then had in circulation, not in the hands of the stockholders.

The following is a statement of the present condition of the Bank as handed in to the committee by one of the witnesses, Mr. Mobly, who testified that it was taken from the statement of the Cashier, and that he, the witness, examined the books and papers of the Bank, and counted the cash on hand which agreed with this statement:

Real estate owned by the bank,		$16,387 13
Personal property,		1,481 37
Amount due from other banks and individuals on account,		820 95
From Iowa Territory,	5,876 25	
" Wisconsin,	803 35	
" Dubuque co.,	500 00	
		7,179 50
Specie on hand,		1,032 33
Total amount of assets,		$60,730 26
LIABILITIES.		
Whole amount of notes in circulation as per Cashier's statement,		113,190 00
Of this amount $105,190 is in the hands of stockholders leaving in other hands to be redeemed the sum of	$8,190 00	
All other immediate liabilities,	7,897 00	
		16,080 27
Balance in favor of the Bank,		$44,649 99

The undersigned would here say that they were not able to ascertain from any testimony before the committee, whether the full amount of stock was paid in according to the provisions of the charter or not.

The following questions were submitted to two of the witnesses, Mr. Davis and Mr. Fales in writing:

How much stock was originally paid in?

Mr. Fales answered in writing—"DON'T KNOW."

Mr. Davis answered the same.

How was it paid in?

Mr. Fales answered in writing—"Heard that some paid in money and others gave stock notes."

Mr. Davis answered the same.

The other witness, Mr. Mobley, stated that the books showed one hundred thousand dollars paid in, but he did not know in what it was paid.

It also appears from the testimony, that Mr. St. John of St Louis, had become largely indebted to the bank, that he had purchased of the Cashier, $40,000,00 of the stock, owned by men in New York or some of the Eastern cities, for which he gave his notes, and that these notes became the property of the Bank; and, also that the Bank loaned to him $57,000,00; that the Bank had recovered from St. John the $40,000,00 of stock, but that the balance will be lost.

Thus it appears that the Bank has sustained large losses, but that those losses have fallen principally upon the stockholders, as she has redeemed all her circulation not in the hands of the stockholders, except about $8,000.

It appears from the testimony that the Bank has suspended specie payment, and that she is now in a state of suspension.

It appears that the stock of the Bank changed hands some time in June or July last, and it is but justice to those in whose hands it has been since that time, to say that they have evinced no disposition to swindle or deceive the community, but, on the contrary, that they have redeemed by paying specie, about $25,000 of the bills of the Bank, and have put none of its notes in circulation. It is further due to the present directors, to say, that from the testimony, as well as the acknowledgement of those most opposed to the Bank, that they are men of unimpeachable integrity, in whose honesty and business capacity, the community have the fullest confidence.

The undersigned, however, deeming all Banks which do not at all times and under all circumstances, pay specie for all their liabilities as unsafe and dangerous to the best interest of the community, and in order to protect the community against unsound and spurious currency, they deem it inexpedient to legalize or justify Bank suspensions and therefore have prepared a bill providing for the closing and winding up of the affairs of the Bank, in such manner as will secure the assets of the Bank to its creditors, which bill, they will snbmit at the proper time.

GEO. H. WALWORTH,
EVAN JAY,
R. D. BARTON,
JO. NEWELL.

On motion of Mr. Newell,

No. 23, H. R. file, A bill to repeal the Miners' Bank of Dubuque, and to provide for winding up the affairs of the same;

Was taken from the table and considered in committee of the whole, Mr. Swearingen in the chair, and

After some time spent in considering the same, the committee rose and by their chairman reported the same back to the House with amendments;

The question upon said amendments was taken separately.

The first amendment, to wit: Strike out the first section of the bill and insert the following:

"Be it enacted by the Council and House of Representatives of the Territory of Iowa, That an act to incorporate the stockholders of the Miners' Bank of Dubuque, is hereby declared null and void so far as said act grants to said bank any privileges to loan money, discount paper, or do any other banking business; Provided, That the first section of this bill, shall not be so construed as to prevent the Trustees hereinafter provided for, from collecting and paying all debts due to and from said bank, or from doing such other business as may be necessary for closing and winding up the affairs of the same;"

Was put and agreed to.

The second amendment, to wit: Strike out the second section and insert the following:

"The Judge of the second judicial district of the Territory, is hereby authorized to appoint two Trustees who shall have power to settle the affairs of the said bank to sell and convey the personal and real estate thereof, and to collect and pay the debts of the same. The said Trustees shall have authority to sue for and recover the debts and property of the said bank by the name of the Trustees of the Miners' Bank of Dubuque;"

Upon which question the yeas and nays were ordered;

Yeas 11; Nays 14.

Those who voted in the affirmative were,

Messrs. Barton,
Blair,
Bunker,
Jay,
Lewis,
McMillan,
Newell,
Sales,
Steele,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Berry,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
McCulloch,
Robertson,
Rogers,
Swearingen,
Speaker.

So the amendment was lost.

The question upon agreeing to the following amendment of the committee, being an additional section, to wit:

"That all property, real or personal, belonging to said bank, which may be disposed of by said Trustees, under the provisions of this act, shall be at public out-cry by giving at least thirty days notice of the same;"

Which was agreed to.

The question upon agreeing to the following amendment of the committee being an additional section, to wit:

"That, if there shall not be sufficient assets of said bank to pay all the liabilities of said corporation, the same shall be appropriated first, to the payment in full of the necessary expenses of winding up and closing the affairs of said corporation, and then pro rata on all the legal liabilities of the said corporation, but no payment shall be made on account of stock of said bank, until all other legal liabilities shall be first paid;"

Which was disagreed to by the House.

The following amendment as an additional section, to wit:

"The present directors of the Miners' Bank of Dubuque, shall act as Trustees of the stockholders and creditors of the same, until the Trustees provided for, by this act, shall be appointed;"

Which was concurred in.

Mr. Walworth then moved

Further to amend as follows:

"That no advantage shall be taken by the debtors of the said bank by reason of the bank having at any time failed to comply with the provisions of its charter."

Upon which question the yeas and nays were ordered;

Yeas 12; Nays 13.

Those who voted in the affirmative were,

Messrs. Barton,
Blair,
Bunker,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Steele,
Swearingen,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Berry,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
McCulloch,
Rogers,
Sales,
Speaker.

So the motion was lost.

Mr. McMillan then moved

That the bill be engrossed and read a third time to-morrow.

Upon which the yeas and nays were ordered;

Yeas 25, Nays 0.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Berry,
Blair,
Brierly,
Briggs,
Bunker,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Jay,
Lewis,
McCulloch,
McMillan,
Newell,
Robertson,
Rogers,
Sales,
Steele,

Swearingen,
Walworth,
Wilson,
Speaker.

So the motion was agreed to by a unanimous vote.

On motion of Mr. Newell,
The House adjourned.

WEDNESDAY MORNING, JANUARY 25, 1843.

The House met pursuant to adjournment.

Mr. McMillan presented the petitions of sundry citizens of Henry county, asking the passage of a stay law as therein provided; which,
On motion of Mr. McMillan,
Were laid on the table.

Mr. Robertson presented the petition of sundry citizens of Scott, Muscatine and Johnson counties, asking the establishment of a certain Territorial road.

Mr. Robertson moved
To refer the same to the committee on roads and highways, with instructions to report by bill or otherwise.
A division of the question was called for; and,
Upon which the yeas and nays were ordered;
Yeas 21; Nays 5.

Those who voted in the affirmative were,
Messrs. Andros,
Barton,
Berry,
Blair,
Brierly,
Briggs,
Bunker,
Culbertson,
Felkner,
Hackleman,
Hepner,
Jay,
Lewis,
McCulloch,
McMillan,
Rogers,
Sales,
Steele,
Swearingen,
Wilson,
Speaker.

Those who voted in the negative were,
Messrs. Goddard,
Newell,
Robertson,
Thornton,
Walworth.

So the motion was agreed to.

Mr. Andros presented the petition of sundry citizens of Clayto county, asking the removal of the seat of justice of said county; which
On motion of Mr. Andros,
Was referred to the committee on township and county boundaries

Mr. Jay presented the petition of sundry citizens of Centre township, Henry county, asking the privilege of electing an additional Justice and Constable for said township;

Which,

On motion of Mr. Jay,

Was referred to the delegation from Henry county.

Mr. Lewis presented the petition of sundry citizens of Iowa Territory, asking the establishment of a certain Territorial road.

Which,

On motion of Mr. Lewis,

Was referred to the delegation from Van Buren county.

Mr. Briggs presented the petition of sundry citizens of Jackson county, asking that a charter be granted for the establishment of an Academy, at Andrew in said county.

Which,

On motion of Mr. Briggs,

Was referred to a select committee of three.

The Chair appointed Messrs. Briggs, Goddard and Andros, said committee.

Mr. Jay offered the following:

Resolved, That the regular hours of the meeting of this House hereafter shall be 9 o'clock, A. M. and 1 o'clock, P. M.

Which,

On motion of Mr. Jay

Was laid on the table.

Mr. Lewis gave notice that he would, on some future day, ask leave to introduce

A bill to amend an act entitled an act to amend an act to incorporate the city of Keosauqua.

Mr. Robertson, on previous notice and leave granted, introduced

No. 67, H. R. file, A bill to abolish imprisonment for debt.

Which was read a first time.

No. 68, H. R. file, An act to incorporate the Farmer's Half Breed Land Company, in the county of Lee;

Was read a first time; and,

On motion of M. McCulloch,

Fifty copies of the the same was ordered to be printed.

Mr. Barton, from the committee on engrossed bills, reported that they had examined,

No. 23, H. R. file, A bill to repeal the charter of the Miners' Bank of Dubuque, and to provide for the winding up the affairs of the same.

And find the same to be correctly engrossed.

Mr. Berry, from the committee, to whom was referred the petition of sundry citizens of Cedar county, in relation hereto, introduced,

No. 69, H. R. file, A bill regulating the licensing and retailing of spirituous liquors;

Which was read a first time.

Mr. McMillan, on previous notice and leave granted, introduced

No. 70, H. R. file, A bill relative to the probate of wills, executors, administrators, guardians, trustees of minors and probate courts, and for defining their duties;

Was read a first time by its title; and,

On motion of Mr. McMillan,

Fifty copies of the same was ordered to be printed.

On motion of Mr. Hepner,

No. 69, H. R. file, A bill regulating the licensing retailers of spirituous liquors;

Fifty copies of the same was ordered to be printed.

Mr. Hackleman, from the select committee, to whom was referred

No. 45, H. R. file, A bill to provide for assessing and collecting County and Territorial revenue;

Reported the same back to the House with amendments.

Mr. Felkner, upon previous notice and leave granted, introduced,

No. 71, H. R. file, A bill to legalize the location of a Territorial road from Lyons to Iowa City;

Which was read a first time.

Mr. Briggs, from the committee on Territorial affairs, to whom was referred the petition of George Andrews, for relief, &c., together with a resolution upon the same subject, have had the same under consideration, and upon an examination of the same, find that the springs therein named was private property at the time, the said Andrews purchased the said lots adjoining the same. Taking this view of the subject, and not having any testimony before the committee, showing the petitioner is rightfully entitled to the relief as prayed for in the petition.

Therefore,

The committee do not feel warranted in recommending such relief. Your committee, therefore, ask to be discharged from the further consideration of the subject.

Mr. Lewis, from the committee on enrolled bills, reported that they had examined,

An act to amend an act entitled an act, for the incorporation of the town of Farmington.

An act to legalize the location of a certain Territorial road.

And find the same to be correctly enrolled.

The committee have also presented to the Governor for his approval on the 20th instant:

An act to relocate a part of a Territorial road in Henry county.

An act for the relief of Denton J. Snyder, Sheriff of Muscatine county.

An act to amend an act to incorporate the city of Dubuque.

An act to relocate a certain Territorial road.

A joint resolution requesting our delegate in Congress to procure the establishment of a Post Office, and for other purposes.

No. 66, H. R. file, A bill granting further time to Henry Harding, to file the plat of a certain Territorial road in the office of the Secretary;

Was read a second time; and

On motion of Mr. Bunker,

The same was ordered to be engrossed and read a third to-morrow.

No. 44, C. file, A bill to relocate the Territorial road leading from Burlington in Des Moines county, via Fort Madison in Lee county, to the bridge on Sugar Creek in said county;

Was read a second time; and,

On motion of Mr. Sales,

Ordered to lie on the table.

No. 65, H. R. file, A bill to define the duties of Territorial Agent and for other purposes;

Was read a second time; and,

On motion of Mr. Hepner,

The same was committed to the committee of the whole and made the order of the day for to-morrow.

No. 23, H. R. file, A bill to repeal the charter of the Miners' Bank of Dubuque and to provide for winding up the affairs of the same;

Was read a third time; and,

Upon the question,

Shall the bill pass?

The yeas and nays were ordered;

Yeas 26, Nays 0.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Berry,
Blair,
Brierly,
Briggs,
Bunker,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Jay,
Lewis,
McCulloch,
McMillan,
Newell,
Robertson,
Rogers,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson,
Speaker.

Those who voted in the negative were—None.

So the bill passed and title was agreed to.

No. 33, C. file, An act concerning mortgages.

No. 38, C. file, An act to regulate weights and measures.

No. 41, C. file, An act regulating mills and millers, and for other purposes; and

No. 49, C. file, An act for opening and regulating roads and highways.

Were severally read a first time.

No. 52, H. R. file, A bill to prevent damage by the firing of prairies;

Being the order of the day, the House resolved itself into committee of the whole for the consideration of the same, Mr. Walworth in the chair; and,

After some time spent therein, the committee rose, and by their chairman reported progress and asked leave to sit again;

Which was granted.

The following message was received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have passed

No. 22, C. file, An act subjecting real and personal estate to execution.

No. 50, C. file, An act to legalize the location of certain Territorial roads.

In all of which, the concurrence of the House is requested.

Also without amendment,

No. 29, H. file, An act regulating the keeping of stallions and jacks, and to improve the breed of horses.

On motion of Mr. Lewis,

The House adjourned.

TWO O'CLOCK, P. M.

Mr. McCulloch moved a call of the House, which was had.

Mr. Rogers asked and obtained leave of absence for Mr. Andros; when,

On motion of Mr. McCulloch,

The further call of the House was dispensed with.

No. 56, H. R. file, A bill relative to mechanics' leins, and for other purposes;

Being the order of the day in committee of the whole, Mr. Wilson in the chair; and,

After some time spent therein, the committee rose, and, by their chairman, reported the same back to the House with amendments;

Which were concurred in.

Mr. Sales offered the following as a substitute for section 10th:

"That the acts approved, December 17th 1838, relative to mecanics' liens and other purposes, and an act approved, January 16th, 1840, be and they are hereby repealed."

Which was agreed to; when,

On motion of Mr. McMillan,

The same was ordered to be engrossed and read a third time to-morrow.

No. 49, H. R. file, A joint resolution for the removal of the seat of government to Mount Pleasant;

Being the order of the day in committee of the whole, was so considered, Mr. Barton in the chair; and,

After some time spent therein, the committee rose, and by their chairman reported progress, and asked leave to sit again;

Which was granted.

On motion of Mr. McMillan,

No. 27, H. R. file, A bill to prevent and punish gaming;

Was taken from the table.

The question being upon concurring in the amendments made in committee of the whole;

The question was taken upon the first amendment of the committee, to wit:

The words "of chance" inserted after the word "games," in the fifth line of the 1st section.

Which was put and lost.

The question was then taken upon the second amendment, to wit: to strike out all of section 4.

Which was agreed to.

The question was then taken upon the 3d amendment, to wit: Insert after the word "play" in the first line of the 5th section, the words "for money or property;"

Upon which the yeas and nays were ordered;

Yeas 14, Nays 11.

Those who voted in the affirmative were,

Messrs. Barton, Berry, Brierly, Briggs, Bunker, Culbertson, Felkner, Hackleman, Hepner, McCulloch, Rogers, Sales, Thornton, Speaker.

Those who voted in the negative were,

Messrs. Blair, Goddard, Jay, Lewis, McMillan, Newell, Robertson, Steele, Swearingen, Walworth, Wilson.

So the amendment was agreed to.

The question was then taken upon the 4th amendment, to wit:

To insert in the 7th line of the 7th section, the word "five" after the word "than," in lieu of the word "fifty;"

Upon which the yeas and nays were ordered;

Yeas 15; Nays 9.

Those who voted in the affirmative were,

Messrs. Barton,
Berry,
Brierly,
Briggs,
Bunker,
Culbertson,
Felkner,
Hackleman,
Hepner,
McCulloch,
Rogers,
Sales,
Swearingen,
Thornton,
Speaker.

Those who voted in the negative were,

Messrs. Blair,
Goddard,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Steele,
Walworth.

So the amendment was agreed to.

The question was then taken upon the 5th amendment of the committee, to wit: Insert after the word "whatsoever" in the third line of the 8th section, the words "who shall allow betting on the same;"

Which was agreed to.

The question was then taken upon the 6th amendment of the committee, to wit: Strike out the words "as other fines are:" in the second line of the 15th section, and insert the words "in cash;" and the word "county" in the 3d line and insert the word "school."

Upon which question the yeas and nays were ordered;

Yeas 22, Nays 3.

Those who voted in the affirmative were,

Messrs. Barton,
Berry,
Blair,
Brierly,
Bunker,
Culbertson,
Felkner,
Goddard,
Hackleman,
Jay,
Lewis,
McMillan,
McCulloch,
Newell,
Robertson,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson,
Speaker.

Those who voted in the nagative were,

Messrs. Briggs,
Hepner,
Rogers.

So the said amendment was agreed to.

Mr. Rogers then moved

To amend the 9th section, by inserting in the third line after the word "played" the words "for money or property;"

Upon which the yeas and nays were ordered;

Yeas 10, Nays 15.

Those who voted in the affirmative were,

Messrs. Brierly,
Briggs,
Bunker,
Felkner,
Hackleman,
Hepner,
McCulloch,
Rogers,
Sales,
Speaker.

Those who voted in the negative were,

Messrs. Barton,
Berry,
Blair,
Culbertson,
Goddard,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

So the motion to amend was lost.

Mr. Hepner moved

To amend the same by striking out the word "fifty," in the 5th line, and inserting "five."

A division of the question was had, and on the question,

Will the House strike out "fifty?"

The yeas and nays were ordered;

Yeas 20, Nays 4.

Those who voted in the affirmative were,

Messrs. Barton,
Berry,
Blair,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Lewis,
McCulloch,
Newell,
Rogers,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Speaker.

Those who voted in the negative were,

Messrs. Jay,
McMillan,
Robertson,
Wilson.

So the motion to strike out was agreed to.

The question was then taken upon inserting the word "five," as above, and agreed to; when,

On motion of Mr. Robertson,

Said bill was ordered to be engrossed and read a third time on Friday next.

The select committee to whom was referred,

No. 45, H. R. file, A bill to provide for assessing and collecting County and Territorial revenue;

Having reported the same to the House with the following amendments, viz:

Sec. 7. Strike out all after the word "land" in the 7th line, and insert the following: "And all town lots shall be valued at its true value in cash, with all the improvements thereon, by the present assessors now elected in each county in this Territory, with two other persons of good qualifications to be appointed by the Board of County Commissioners of the proper county, at their April term next; one in each County Commissioners' district, other than that in which the assessor lives, so that each part of the county may have an equal valuation of their land or lots, who shall take in consideration the general improvements of the county in which it is situated, the quality of soil, its convenience to navigation, public roads, mill privileges and all other local advantages. Such appraisors so appointed, before entering upon their duties as such, shall take and subscribe an oath to the faithful performance of their duty, and when said appraisors are so appointed and qualified as aforesaid, it shall be their duty to attend with said assessor on the second Monday in June next, at the county seat of said county, then and there to make said valuation as near equal as may be. Which valuation, when examined and corrected by the Board of County Commissioners, shall be recorded in the Clerks Office of said Board, and remain as a fixed value for five years, unless sooner altered by law; Provided, however, That it shall not prevent any person if they feel aggrieved by the valuation put on his, her, or their land, or lots, having the matter determined before the County Commissioners any time within three months after the acceptance of said roll, and upon proof thereof, if said Commissioners should think the valuation too high, may alter the same accordingly. All appraisors shall have, as a compensation for their services, the sum of two dollars per day, for every day necessarily employed, which shall be paid out of the county Treasury as other monies are paid."

Strike out the ninth section, and insert

"That all personal property shall be taxed according to its true value in cash, to be determined by the assessor, and it shall be the duty of each assessor to value all improvements (on claimed land) unsold, as personal property and charge the same to said claimants, and that all grain in stacks, or cribs of corn, or pork put up for family use, and all other necessaries of a like nature shall be exempt from taxation."

Strike out in the 11th section from the form, "the column containing the rates of land in said form."

All of said amendments were agreed to; and

On motion of Mr. Hackleman,

The bill was ordered to be engrossed and read a third time on Monday next.

No. 52, H. R. file, A bill to prevent damage by the firing of prairies;

Was resumed in committee of the whole, Mr. Walworth in the chair;

And,

After some time spent in consideration of the same, the committee rose, and, by their chairman, reported the same back to the House with sundry amendments;

Which were read and concurred in by the House.

Mr. Newell then moved

To amend by adding the following to the fourth section:

"Provided, That nothing in this section shall be so construed as to prevent individuals from hunting wolves, deer or domestic animals."

Which was lost.

Mr. Newell moved

To refer the bill to a select committee of one from each electoral district;

Which was agreed to; and,

The Chair appointed Messrs. Newell, Barton, Berry, Briggs, Culbertson, Felkner, Goddard, Hackleman, Jay and McCulloch, said committee.

On motion of Mr. Briggs,

The House adjourned.

THURSDAY MORNING, JANUARY 26, 1843.

The House met pursuant to adjournment.

Mr. Hepner presented the petition of sundry citizens of Lee county, asking that a supplemental act to the act providing for the relocation of the county seat of Lee county, be passed as therein named;

Which,

On motion of Mr. McCulloch,

Was referred to a committee consisting of the delegation from Lee county, and one from each electoral district.

The Chair appointed Messrs. McCulloch, Berry, Brierly, Briggs, Culbertson, Felkner, Hepner, Newell, Robertson, Steele, Swearingen, and Wilson.

Mr. Thornton presented the petition of sundry citizens of Muscatine county, asking that a valuation law be passed; which,

On motion of Mr. Thornton,

Was laid on the table.

Mr. Rogers presented the petition of sundry citizens of Dubuque county, asking that a resurvey may be had of the road leading from Farmington to Prairie du Chien; which,

On motion of Mr. Rogers,

The same was referred to the delegation from the Dubuque district.

Mr. Andros gave notice that he would, on to-morrow, or some future day, ask leave to introduce a bill to incorporate the "Iowa Medical Society."

Mr. Wilson from the committee on township and county boundaries, reported

No. 72, H. R. file, A bill to relocate the county seat of Clayton county;

Which was read a first time.

Mr. Barton, from the committee on engrossed bills, have examined

No. 66, H. R. file, An act granting further time to Henry Harden, to file the plat of a Territorial road in the Secretary's office;

And,

No. 56, H. R. file, A bill relative to mechanics' leins and for other purposes;

And find the same to be correctly engrossed.

Mr. Lewis, from the committee on enrolled bills, have examined

An act regulating the keeping of Stallions and Jacks, and to improve the breed of horses;

And find the same to be correctly enrolled.

Mr. Bunker from the committee to whom was referred

A memorial from certain citizens of Washington county, remonstrating against the relocation of a certain Territorial road in Washington county, and praying a repeal of a law authorizing such a relocation; have instructed me to report the following bill:

No. 73, H. R. file, A bill to relocate a part of a Territorial road in Washington county;

Which was read a first time.

Mr. Lewis, on previous notice and leave granted, introduced

No. 74, H. R. file, A bill to amend an act entitled an act to incorporate the City of Keosauqua;

Which was read a first time.

Mr. Walworth, from the select committee, to whom was referred

A resolution relative to the compensation of Wilson & Keesecker, for printing the Journals of the House of Representatives for the session of 1841 and '42, have had the same under consideration, and have compared the prices with the prices recommended in a bill now pending, fixing the prices hereafter to be allowed for public printing; and have instructed me to report the following resolution, fixing the compensation of said Wilson & Keesecker to correspond with the price set forth in said bill:

Resolved, by the Council and House of Representatives of the Territory of Iowa, That Wilson & Keesecker be allowed the sum of $650,34 for printing the Journals of the House of Representatives, for the session of 1841 and '42;

Which was read a first time.

Mr. Thornton, on previous notice and leave granted, introduced No. 76, H. R. file, A bill to incorporate the Muscatine Lyceum;

Which was read a first time.

No. 67, H. R. file, A bill to abolish imprisonment for debt;

Was read a second time; and,

On motion of Mr. Robertson,

Was ordered to be engrossed and read a third time on Saturday next.

No. 70, H. R. file, A bill to legalize the location of a Territorial road leading from Lyons to Iowa City;

Was read a second time; and,

On motion of Mr. Goddard,

The same was referred to the committee on roads and highways.

No. 33, C. file, An act concerning mortgages;

Was read a second time; and,

On motion of Mr. McMillan,

Was committed to the committee of the whole, and made the order of the day for Saturday next.

No. 38, C. file, An act to regulate weights and measures;

Was read a second time; and,

On motion of Mr. McMillan,

Was committed to the committee of the whole, and made the order of the day for Monday next.

No. 41, C. file, An act regulating mills and millers, and for other purposes;

Was read a second time; and,

On motion of McMillan,

Was committed to the committee of the whole, and made the order of the day for Saturday next.

No. 49, C. file, An act for opening and regulating roads and highways;

Was read a second time; and,

On motion of Mr. McMillan,

Was committed to the committee of the whole, and made the order of the day for to day.

No. 68, H. R. file, A bill to incorporate the Farmers' Half Breed Land Company in the county of Lee;

Was read a second time; and,

On motion of Mr. McCulloch,

Was committed to the committee of the whole, and made the order of the day for Monday next.

No. 56, H. R. file, A bill relative to mechanics' liens and for other purposes;

Was read a third time, passed and title agreed to.

No. 66, H. R. file, A bill granting further time to Henry Harden to file a plat of a certain Territorial road in the office of the Secretary;

Was read a third time, passed and title agreed to.

No. 22, C. file, An act subjecting real and personal estate to execution;

And,

No. 50, C. file, A bill to legalize the location a certain Territorial road;

Were severally read a first time.

The following message was received from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—I am directed to present for your signature,

An act to authorize evidence by the oath of parties.

An act to authorize Wm. Benham and David B. Sears to keep a ferry.

Which were signed by the Speaker of the House.

I also return,

An act to legalize the location of a certain Territorial road.

And,

An act to amend an act entitled an act for the incorporation of the town of Farmington.

The same having been signed by the President of the Council.

No. 65, H. R. file,

Being the order of the day was considered in committee of the whole, Mr. Berry in the chair, and;

After some time spent in considering the same, the committee rose and by their chairman reported the same back to the House with amendments.

Mr. Barton moved

To refer the same to a select committee of three.

Which was agreed to.

The Chair appointed Messrs. Barton, Hepner and Walworth, said committee.

On motion of Mr. Lewis,

The House adjourned.

TWO O'CLOCK, P. M.

No. 49, C. file, An act for opening roads and highways;

Being the order of the day, was considered in committee of the whole, Mr. Barton in the chair; and,

After some time spent therein, the committee rose, and by their chairman reported the same back to the House with one amendment.

Which was concurred in by the House.

Mr. McMillan moved

To refer the same to a select committee of three;

Which was agreed to; and,

The Chair appointed Messrs. McMilan, Hackleman and Robertson said committee.

No. 35, C. file, An act to define the jurisdiction of the Supreme and District Courts.

No. 39, C. file, An act concerning costs and fees.

And,

No. 53, C. file, An act to incorporate an Academy in Denmark, Lee county.

Were severally read a first time.

On motion of Mr. Hepner,

The House adjourned.

FRIDAY MORNING, JANUARY 27, 1843.

The House met pursuant to adjournment.

Mr. McMillan offered the following:

Resolved, That all bills and joint resolutions on their second reading, shall be read by title only, unless otherwise ordered by the House.

Mr. Barton, from the committee on engrossed bills, reported that they had examined

No. 67, H. R. file, A bill to abolish imprisonment for debt;

And find the same correctly engrossed.

Mr. McMillan, from the committee, to whom was referred,

No. 49, C. file, An act for opening and regulating roads and highways;

Reported the same back to the House with the following amendments:

Insert after the word "county" in the second line of the second section, the word "road."

Insert after the word "or" in the same line and section, the words "for the alteration of any road."

Insert after the words "County Commissioners" in the fourth line of the 14th section, the words "where counties are not divided into townships."

Strike out the words "of the county" in the fourth line of the fourteenth section.

Insert after the word "townships" in the fifth line of the fourteenth section, the words "where counties are divided into townships."

Mr. Andros from the committee on claims to whom was referred the claim of A. C. Donaldson for services in carrying an extra mail from Davenport to Dubuque, during a session of the Legislative Assembly, have examined the same, and find in the acts of 1839 and '40, the following joint resolution:

Resolved, by the Council and House of Representatives of the Territory of Iowa, That the Secretary of this Territory, pay out of the appropriation by Congress to defray the expenses of this Legislative Assembly, two hundred and seventy dollars to A. C. Donaldson, for services in carrying an extra mail from Davenport to Dubuque, during the last session of this Legislative Assembly, under a contract authorized by a resolution passed at said session.

Of the above sum of $270, one hundred dollars was paid by James Clarke, Esqr., the former Secretary of the Territory, and your committee are informed by the present Secretary, that the balance of the account was by him forwarded to the auditing office, at the city of Washington, and that the same has been returned as disallowed.—That some explanations of the matter have since been forwarded to said auditing officer, with a view of yet having it allowed, but it is the opinion of the Secretary, that the account will be rejected.

And your committee will further state, that the above account has been transferred to Laurel Summers, for value received by the aforesaid A. C. Donaldson.

Therefore, in view of the premises, your committee have instructed me to report the following:

No. 77, H. R. file, A bill for the relief of Laurel Summers;

Which was read a first time.

Mr. Robertson moved

To suspend the 42d rule, and that the bill be read a second and third time now;

Which was lost.

Mr. Goddard introduced the following:

No. 78, H. R. file, A joint resolution relative to seals for Delaware county, &c.

Which was read a first time.

Mr. Wilson, from the committee on township and county boundaries, to whom was referred the memorial of sundry citizens of the north branch of the Makokete, praying for a new county to be organized out of the following counties, to wit:

Dubuque, Delaware, Jackson and Jones;

Have had the same under consideration, and your committee are united in the belief, that any legislation on that subject at this time is inexpedient, and ask to be discharged from the further consideration of the subject.

Mr. Lewis, from the committee on enrolled bills, reported that they had examined,

An act for the relief of B. W. Gillock, ex-Sheriff of Lee county.

And,

An act to establish a certain Territorial road.

And find the same to be correctly enrolled.

The committee have also presented to the Governor for his approval, on the 26th ultimo:

An act to amend an act entitled an act for the incorporation of the town of Farmington.

Also,

An act to legalize the location of certain Territorial roads.

Mr. Andros, on previous notice and leave granted, introduced,

No. 79, H. R. file, A bill to incorporate the Iowa Medical Society;

Which was read a first time.

No. 69, H. R. file, A bill regulating the licensing and retailing of spirituous liquors;

Was read a second time.

Mr. Rogers moved

To commit the bill to the committee of the whole, and that it be made the order of the day for Wednesday next;

Which was lost; when,

On motion of Mr. Wilson,

The House resolved itself into committee of the whole, Mr. Brierly in the chair; and,

After some time spent therein, the committee rose, and, by their chairman, reported the same back to the House with one amendment:

Which was, to strike out the first section of the bill;

And upon the question,

Will the House concur in said amendment?

The yeas and nays were ordered;
Yeas 14, Nays 12.

Those who voted in the affirmative were,
Messrs. Andros,
Barton,
Brierly,
Briggs,
Culbertson,
Hackleman,
Hepner,
Lewis,
Newell,
Rogers,
Sales,
Steele,
Thornton,
Speaker.

Those who voted in the negative were,
Messrs. Berry,
Blair,
Bunker,
Felkner,
Goddard,
Jay,
McCulloch,
McMillan,
Robertson,
Swearingen,
Walworth,
Wilson.

So the amendment was concurred in.

Mr. Sales then moved to lay the bill on the table;
Which was agreed to.

No. 72, H. R. file, A bill to relocate the county seat of Clayton county;

Was read a second time; when,

On motion of Mr. Rogers,

The same was committed to the committee of the whole and made the order of the day for Thursday next.

No. 73, H. R. file, A bill to relocate a part of a Territorial road in Washington county;

Was read a second time; and,

On motion of Mr. Bunker,

The same was ordered to be engrossed and read a third time on Monday next.

No. 74, H. R. file, A bill to amend an act entitled an act to incorporate the city of Keosauqua;

Was read a second time; and,

On motion of Mr. Lewis,

The same was committed to the committee of the whole, and made the order of the day for Thursday next.

No. 75, H. R. file, A joint resolution for the relief of Wilson and Keesecker;

Was read a second time.

Mr. Rogers moved

To strike out "$650 34," and insert "$873."

Upon which a division of the question was called for; and,

Upon the question,

Will the House strike out?

The yeas and nays were ordered;

Yeas 13; Nays 13.

Those who voted in the affirmative were,

Messrs. Andros,
Berry,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
McCulloch,
Rogers,
Swearingen,
Speaker.

Those who voted in the negative were,

Messrs. Barton,
Blair,
Bunker,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Thornton,
Walworth,
Wilson.

So the motion was lost; when,

On motion of Mr. Rogers,

The 42d rule was suspended and the resolution read a third time and passed.

The following message was received from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—I am directed to inform the House that the Council have passed,

No. 52, C. file, An act to vacate certain streets in the town of Denmark, in Lee county.

The Council have disagreed to the report of the committee of conference, relative to

No. 8, C. file, Joint resolution instructing our Delegate in Congress to procure an amendment to the Organic law.

I herewith return

An act regulating the keeping of stallions and jacks, and to improve the breed of horses.

The same having been signed by the President of the Council.

No. 76, H. R. file, A bill to incorporate the Muscatine Lyceum;

Was read a second time; when,

On motion of Mr. McMillan,

The same was referred to a select committee of three;

And asked to be excused from serving on said committee.

The Chair appointed Messrs. Hepner, Newell and Thornton, said committee.

No. 22, C. file, An act subjecting real and personal estate to execution;

Was read a second time; and,

On motion of Mr. McMillan,

The same was committed to the committee of the whole, and made the order for the day of Monday next.

No. 35, C. file, An act defining the jurisdiction of the Supreme and District Courts;

Was read a second time; and,

On motion of Mr. Rogers,

The same was committed to the committee of the whole, and made the order of the day for to-morrow.

No. 39, C. file, An act concerning costs and fees;

Was read a second time; and,

On motion of Mr. Newell,

The same was committed to the committee of the whole, and made the order of the day for Wednesday next.

No. 50, C. file, An act to legalize the location of a certain Territorial road;

Was read a second time; and,

On motion of Mr. Walworth,

The same was ordered to be engrossed and read a third to-morrow.

No. 53, C. file, An act to incorporate an Academy in Denmark, Lee county;

Was read a second time; and,

On motion of Mr. Hepner,

The same was committed to the committee of the whole, and made the order of the day for to-morrow.

Mr. Walworth moved to take from the table,

No. 26, C. file, An act to amend an act to incorporate the Washington Manufacturing Company;

Which was agreed to; when,

On motion of Mr. Walworth,

The same was referred to the delegation from Cedar, Linn and Jones; when,

On motion of Mr. McMillan,

The House adjourned.

TWO O'CLOCK, P. M.

No. 49, C. file, An act for opening and regulating roads and highways;

With amendments, from the select committee, to whom the same was referred, being under consideration; and,

The question being upon concurring in the amendments of the committee;

Was put and agreed to; when,

On motion of Mr. McMillan,
The 42d rule was suspended, and the same
Was read a third time, passed and title agreed to.

On motion of Mr. Barton,
No. 62, H. R. file, A bill to authorize Arthur Town and others, to erect a dam part way across the Des Moines river;

Was taken from the table, and considered in committee of the whole, Mr. Briggs in the Chair; and,
After some time spent therein, the committee rose, and by their chairman reported the same back to the House without amendment;

Mr. Hepner moved
To strike out after the word "crafts" in the 18th line of the first section, the words "provided said water crafts be not less than two tons burden;"
Pending which, a call of the House was ordered;
Which was had; and,

On motion of Mr. Jay,
The further call of the House was dispensed with;
The question then recurring upon striking out; and,
Upon which question the yeas and nays were ordered;
Yeas 14; Nays 11.

Those who voted in the affirmative were,
Messrs. Andros,
Berry,
Blair,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Jay,
McMillan,
Rogers,
Steele,
Speaker.

Those who voted in the negative were,
Messrs. Barton,
Brierly,
Bunker,
Lewis,
McCulloch,
Newell,
Robertson,
Swearingen,
Thornton,
Walworth,
Wilson.
So the motion to strike out, was agreed to.

Mr. Barton moved
That the same be engrossed and read a third time on Monday next;
Upon which the yeas and nays were ordered;
Yeas 14, Nays 11.

Those who voted in the affirmative were,
Messrs. Barton,
Brierly,
Bunker,
Goddard,
Jay,
Lewis,
McCulloch,
Newell,
Robertson,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Berry,
Blair,
Briggs,
Culbertson,
Felkner,
Hackleman,
Hepner,
McMillan,
Rogers,
Speaker.

So the motion was agreed to.

Mr. Walworth from the committee on engrossed bills, have examined,

No. 27, H. R. file, A bill to prevent and punish gaming;

And find the same to be correctly engrossed.

No. 27, H. R. file, A bill to prevent and punish gaming;

Was read a third time; and,

Upon the question, shall the bill pass?

The yeas and nays were ordered;

Yeas 18, Nays 8.

Those who voted in the affirmative were,

Messrs. Barton,
Berry,
Blair,
Brierly,
Bunker,
Culbertson,
Goddard,
Jay,
Lewis,
McCulloch,
McMillan,
Newell,
Robertson,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Briggs,
Felkner,
Hackleman,
Hepner,
Rogers,
Sales,
Speaker.

So the bill passed and title was agreed to.

On motion of Mr. McMillan,

No. 25, H. R. file, A bill organizing a Board of County Commissioners in each county in the Territory of Iowa;

Was taken from the table, and the amendments made in committee of the whole, considered.

Mr. Rogers moved

To amend the proviso added to the 4th section of the bill, by the committee, by striking out the words "in other cases," in the last line of said section, and inserting the words "hereinafter provided in this act;"

Which was agreed to.

Mr. Rogers moved

To amend the 1st amendment made by the committee of the whole to the 4th section, by inserting the words "license ferries, and fix th rates of ferriage, and to" after the word "to" in the 1st line of the 3 head of said amendment;

Which was agreed to..

The question was then taken upon agreeing to the following amendment of the committee, to the 19th section, to wit: Strike out "two dollars," and insert "two dollars and fifty cents;"

Upon which question the yeas and nays were ordered;

Yeas 14; Nays 12.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Berry,
Brierly,
Briggs,
Bunker,
Culbertson,
Felkner,
Hackleman,
Hepner,
McCulloch,
Rogers,
Steele,
Speaker.

Those who voted in the negative were,

Messrs. Blair,
Goddard,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Sales,
Swearingen,
Thornton,
Walworth,
Wilson.

So the amendment of the committee was agreed to.

All other amendments, made in committee of the whole, were then agreed to.

Mr. Rogers then moved

To amend the third section, by adding thereto the following:

"Provided, he shall, before entering on the duties of his office, give bond with surity or surities, to the satisfaction of the Clerks of the District Courts, of the respective counties, in a sum not less than $200, nor more than $1000, conditioned for the faithful management of the county funds, and property, and the best performance of the business of his office according to law;"

Which was agreed to.

Mr. Hackleman then moved

To strike out the 22d section;

Which was agreed to.

Mr. McMillan moved

To strike out the words "in all cases" in the second line of the 24th section, and insert after the word "presented" in the same line of the same section, the words "to him;"

Which was agreed to; when,

On motion of Mr. McMillan,

The same was ordered to be engrossed and read a third time on Monday next.

No. 52, C. file, A bill for an act to vacate certain streets in the town of Denmark, in Lee county;

Was read a first time.

Mr. Robertson, from the committee of conference, appointed on the part of the House, to confer with a similar committee on the part of the Council, upon the disagreeing vote between the two Houses, upon

A joint resolution requesting our delegate in Congress to procure an amendment to the Organic Law, so as to allow the several counties of this Territory, to elect their district Clerks;

Reported that the majority of the committee agree to report the resolution back, and recommend its passage.

Mr. Rogers moved

That the House adhere to its amendments, to said resolution;

Which was agreed to; when,

On motion of Mr. Hackleman,

The House adjourned.

SATURDAY MORNING, JANUARY 28, 1843.

The House met pursuant to adjournment.

Mr. Berry presented the petition of sundry citizens of Linn county, asking the relocation of a part of a certain Territorial road; which,

On motion of Mr. Berry,

Was referred to the delegation from Cedar, Linn and Jones.

Mr. Hackleman, on leave granted, introduced,

No. 80, H. R. file, A joint resolution to authorize Hughes & Williams to print the laws of the present session;

Which was read a first time.

Mr. Jay offered the following:

Resolved, That there be a committee of three appointed on the part of the House, to report what further business shall be acted upon this session;

Mr. Hepner moved

To lay the same upon the table;

Which was agreed to.

Mr. Hepner offered the following:

Resolved, That the Territorial Agent report to this House the amount of means within the control of said Agent, to pay the debts contracted in the erection of the Capitol, at Iowa City, and also what the means are, and if not available now, when they will be;

Which was agreed to.

The resolution offered yesterday, relative to bills upon their second reading;

Being the order of the day, the question was taken upon the passage of said resolution; and the same was rejected.

Mr. Barton, from the committee on engrossed bills, have examined

No. 62, H. R. file, An act to authorize Arthur Thome and others, to construct a dam part way across the Des Moines river.

No. 73, H. R. file, A bill to relocate a part of a Territorial road in Washington county;

And find the same to be correctly engrossed.

Mr. Robertson, on previous notice and leave granted, introduced

No. 81, H. R. file, A bill requiring certain county officers to keep their respective offices at the county seat;

Which was read a first time.

Mr. Briggs, on previous notice and leave granted, introduced

No. 82, H. R. file, A bill to amend an act entitled an act, to prevent forcible entry and detainer;

Was read a first time.

Mr. Barton moved

To reconsider the vote had yesterday, relative to adhearing to the amendments of the House, to

No. 8, C. file, Joint resolution instructing our Delegate in Congress to procure an amendment to the Organic law;

Which motion was lost.

No. 77, H. R. file, A bill for the relief of Laurel Summers;

Was read a second time;

Mr. Robertson moved

That the same be engrossed and read a third time on Monday;

Which was lost.

Mr. Robertson then moved

That the same be laid on the table;

Which was agreed to.

No. 78, H. R. file, A joint resolution relative to seals for Delaware county, &c.;

Was read a second time; and,

On motion of Mr. Goddard,

The same was ordered to be engrossed and read a third time on Monday.

No. 79, H. R. file, A bill to incorporate the Iowa Medical Society;

Was read a second time; when,

On motion of Mr. Rogers,

The House resolved itself into committee of the whole, for considering the same, Mr. Felkner in the Chair; and,

After some time spent therein, the committee rose, and by their chairman reported the same back to the House with one amendment;

Which was concurred in; when,

On motion of Mr. Robertson,

The same was ordered to be engrossed and read a third time on Monday.

The following message was received from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—The Council have passed with amendments,

No. 57, H. R. file, An act establishing the prices of the public printing;

No. 51, C. file, An act regulating practice in the District Courts;

No. 55, C. file, A bill authorizing the Judge of probate of Van Buren county, to employ a suitable person to transcribe the probate records of said county;

In which the concurrence of the House is requested.

The Council have disagreed to the amendment made by the House to the 14th section of

No. 49, C. file, An act for opening and regulating highways;

And have agreed to the other amendments of the House.

No. 52, C. file, An act to vacate certain streets in the town of Denmark, Lee county;

Was read a second time; and,

On motion of Mr. Brierly,

The same was ordered to lie on the table.

No. 50, C. file, An act to legalize the location of a certain Territorial road;

Was read a third time, passed and title agreed to.

No. 67, H. R. file, A bill to abolish imprisonment for debt;

Was read a second time; and,

On motion of Mr. Robertson,

The same was referred to a select committee of three.

The Chair appointed Messrs. Robertson, Rogers and Barton, sai committee.

No. 62, H. R. file, An act to authorize Arthur Thomes and others to erect a dam part way across the Des Moines river;

Was read a third time, passed and title agreed to.

No. 73, H. R. file, An act to relocate a part of a Territorial roa in Washington county;

Was read a third time, passed and title agreed to.

No. 35, C. file, An act to define the jurisdiction of the Supreme a District Courts;

Was considered in committee of the whole, Mr. Hackleman in t chair; and, After some time spent therein, the committee rose, and by their chairman, reported the same back to the House with one amendment.

Upon the concurrence of the House,
In which the yeas and nays were ordered;
Yeas 18; Nays 7.

Those who voted in the affirmative were,
Messrs. Barton,
Berry,
Blair,
Briggs,
Bunker,
Culbertson,
Felkner,
Hackleman,
Hepner,
Jay,
McCulloch,
McMillan,
Rogers,
Sales,
Steele,
Swearingen,
Thornton,
Speaker.

Those who voted in the negative were,
Messrs. Brierly,
Goddard,
Lewis,
Newell,
Robertson,
Walworth,
Wilson.

So the amendment was concurred in; when,

On motion of Mr. Robertson,
The same was ordered to be engrossed and read a third time on Monday next.

Mr. Robertson, from the committee, to whom was referred,
No. 67, H. R. file, A bill to abolish imprisonment for debt;
Reported the same back to the House with an amendment;
Which was concurred in; when,
On motion of Mr. Robertson,
The 42d rule was suspended and the same read a second and third time, passed and title agreed to.

No. 53, C. file, An act to incorporate an Academy in Denmark, Lee county.
Was considered in committee of the whole, Mr. Walworth in the chair, and,
After some time spent in considering the same, the committee rose and by their chairman reported the same back to the House without amendment; when,
On motion of M. McCulloch,
The same was ordered to be read a third time on Monday.

No. 33, C. file, An act concerning mortgages.
Being the order of the day,
On motion of Mr. Rogers,
The consideration of the same was postponed.

No. 41, C. file, An act regulating mills and millers, and for other purposes;

Being the order of the day in committee of the whole, was so considered, Mr. Barton in the chair; and,

After some time spent therein, the committee rose, and, by their chairman, reported the same back to the House with amendments;

Which were concurred in; when,

On motion of Mr. Newell,

The same was ordered to be engrossed and read a third time on Monday next.

Mr. Jay, on previous notice and leave granted, introduced,

No. 83, H. R. file, A bill authorizing the election of an additional justice and constable in Centre township, Henry county;

Which was read a first time.

Mr. Hepner moved

That the House adjourn until Monday, 9 o'clock, A. M.

Which was lost.

On motion of Mr. McMillan,

No. 49, C. file, An act for opening and regulating roads and highways;

Was taken from the table; and,

On motion of Mr. McMillan,

The House receded from the amendment made by the House to the 14th section; when,

On motion of Mr. Jay,

The House adjourned.

MONDAY MORNING, JANUARY 30, 1843.

The House met pursuant to adjournment.

Mr. Jay presented the petition of sundry citizens of Henry county, asking a change of the Territorial road leading from Burlington, via New London, to Mt. Pleasant; which,

On motion of Mr. Jay,

Was laid on the table.

Mr. Robertson presented the petition of sundry citizens of Scott county, relative to pilots, &c.; which,

On motion of Mr. Robertson,

Was referred to the Delegation from Scott and Lee counties.

Mr. Briggs presented the petition of sundry citizens of Charlestown and vicinity, asking that C. G. Eldrige have the exclusive privilege of ferrying at said place; which,

On motion of Mr. Briggs,

Was referred to the committee on incorporations.

Mr. Steele, from the committee to whom was referred the petition of sundry citizens of Lee county, in relation hereto; reported,

No. 84, H. R. file, A bill to authorize Robert McKee & Ovid Grinnell, to construct a dam part way across the Des Moines river;

Which was read a first time.

Mr. Barton, from the committee on engrossed bills, reported that they had examined

No. 78, H. R. file, A joint resolution relative to seals for Delaware county, &c.

No. 79, H. R. file, An act to incorporate the Iowa Medical Society;

And,

No. 25, H. R. file, A bill organizing a board of County Commissioners in each county in the Territory of Iowa;

And find the same to be correctly engrossed.

Mr. Lewis, from the committee on enrolled bills, reported that they had examined,

An act to establish a Seminary of learning at Nashville;

And find the same to be correctly enrolled.

The committee have also laid before the Governor on the 28th inst.

An act to regulate the keeping of Jacks and Stallions, and for improving the breed of horses;

And,

An act for the relief of B. W. Gillock ex-Sheriff of Lee county;

And,

An act to establish a certain Territorial road.

Mr. Andros, gave notice that he would on to-morrow or some future day ask leave to introduce a bill for the relief of the citizens, resident at St. Peters, and others resident in the Indian country, within the limits of this Territory.

No. 81, H. R. file, A bill requiring certain county officers to keep their respective offices at the county seat;

Was read a second time; and,

On motion of Mr. Barton,

The same was referred to a committee of one from each judicial district.

The Chair appointed Messrs. Barton, Felkner and Andros.

No. 82, H. R. file, An act to amend an act entitled an act to prevent forcible entry and detainer;

Was read a second time; and,

On motion of Mr. Briggs,

The same was ordered to lie on the table.

No. 83, H. R. file, A bill authorizing the election of an additional justice and constable in centre township, Henry county;

Was read a second time; and,

On motion of Mr. Jay,

The same was ordered to lie on the table.

No. 70, H. R. file, A bill relative to the probate of wills, executors, administrators, guardians, trustees of minors and probate courts, and for defining their duties;

Was read a second time; and,

On motion of Mr. Barton,

The same was committed to the committee of the whole, and made the order of the day for Thursday.

No. 80, H. R. file, A joint resolution to authorize Hughes and Williams to print the Laws of the present session;

Was read a second time; and,

On motion of Mr. Hackleman,

The same was ordered to lie on the table.

No. 35, C. file, An act defining the jurisdiction of the Supreme and District Courts;

No. 53, C. file, An act to incorporate an Academy in Denmark, Lee county;

No. 41, C. file, An act regulating mills and millers, and for other purposes;

No. 25, H. R. file, An act organizing a Board of County Commissioners in each county in the Territory of Iowa; and,

No. 79, H. R. file, An act to incorporate the Iowa Medical Society;

Were severally read a third time, passed and titles agreed to.

No. 78, H. R. file, A joint resolution relative to seals for Delaware county, &c.

Was read a third time and passed.

No. 22, C. file, An act subjecting real and personal estate to execution;

Being the order of the day, was considered in committee of the whole, Mr. Walworth in the Chair, and,

After some time spent therein, the committee rose, and by their chairman reported progress, and asked leave to sit again;

Which was granted; when,

On motion of Mr. Lewis,

The House adjourned.

TWO O'CLOCK, P. M.

The Chair submitted the following communication from the Territorial Agent:

In obedience to a resolution of the House of Representatives, requiring the Territorial Agent to furnish a statement of the amount of means within his control to pay the debts contracted on account of the Capitol at Iowa City, as also the character of the means and when available. I respectfully submit the following answer:

At the date of my annual report, there was in my hands, notes amounting to $12,442 00.

These notes may be classed in the following order, to wit:

Notes collectable in cash,	$5,000	
Notes on forfeited lots,	3,000	
Notes payable in work and materials on the Capitol,	4,442	
		$12,442 00
Debts of 1841 remaining unpaid at the date of my annual report,	8,000	
Arrearages of 1842,	3,445	
		$11,445 00
		$23,887 00

These means are subject to all the uncertainty of the collection laws of Iowa and Illinois. I am, therefore, not able to inform the House when they can be made available. Iowa City property remaining unsold, including the promonade, lumber yard, quarry reserve and Governor's square. Should the bill, now before the House, pass, may be estimated at thirty thousand dollars.

Respectfully submitted,
JOHN M. COLMAN,
Territorial Agent.

On motion of Mr. Barton,

The same was referred to the select committee, to whom was referred the bill relative to the duties of Territorial Agent.

Mr. Barton, from the committee, to whom was referred,

No. 81, H. R. file, A bill requiring certain county officers to keep their respective offices at the county seat;

Reported the same back to the House with amendments;

Which were concurred in.

Mr. Steele moved

Further to amend the last section by adding the following:

"And that Lee county be excepted so far as relates to the office of County Surveyor."

On motion of Mr. Robertson,

The same was ordered to be engrossed and read a third to-morrow.

No. 57, H. R. file, A bill to establish the prices for public printing;

Being reported from the Council with amendments.

The first amendment to the same was agreed to; when,

On motion of Mr. Robertson,

$350 was stricken out of the second amendment, and $3000 inserted.

No. 51, C. file, An act regulating practice in the District Courts;

And,

No. 55, C. file, An act authorizing the Judge of probate of Van Buren county, to appoint a suitable person to transcribe the probate record of said county;

Were severally read a first time.

No. 22, C. file, An act subjecting real and personal estate to execution;

Was resumed in committee of the whole, Mr. Walworth in the chair; and,

After some time spent therein, the committee rose, and by their chairman reported the same back to the House with sundry amendments.

The following message was received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—I am directed to present for your signature,

An act for opening and regulating roads and highways.

An act to legalize the location a certain Territorial road.

I herewith return

An act to establish a Seminary of learning at Nashville.

The same having been signed by the President of the Council.

The Council have also passed,

No. 45, C. file, An act relative to promisory notes.

And,

No. 66, H. R. file, An act granting further time to Henry Harden to file a plat of a certain Territorial road in the office of the Secretary.

On motion of Mr. Walworth,

The House adjourned.

TUESDAY MORNING, JANUARY 31, 1843.

The House met pursuant to adjournment.

Mr. Wilson, presented the petition of sundry citizens of Salem, Henry county, in relation to the lanes of said place; which,
On motion of Mr. Wilson,
Was referred to the delegation from Henry county.

Mr. Rogers presented the petition of sundry citizens of Delaware county, asking an alteration of the time for holding the U. S. District Court; which,
On motion of Mr. Rogers,
Was referred to the delegation from the Dubuque district.

Mr. McCulloch, from the committee on roads and highways, to whom was referred, the petition and remonstrance of sundry citizens of Jefferson county, asking a relocation of parts of the Territorial road leading from Fairfield to Fort Madison, have had the same under consideration and have come to the conclusion that it is inexpedient to grant the prayer of said petitioners; and asked to be discharged from the further crnsideration of the subject.

Mr. McCulloch, from the committee on roads and highways, to whom was referred
No. 70, H. R. file, A bill to legalize the location of a Territorial road from Lyons to Iowa City;
Reported the same back to the House, and recommended its indefinate postponement.

Mr. Barton, from the committee on engrossed bills, have examined
No. 81, H. R. file, An act requiring certain county officers to keep their respective offices at the county seat;
No. 45, H. R. file, A bill to provide for assessing and collecting County and Territorial revenue;
And find the same correctly engrossed.

No. 84, H. R. file, A bill to authorize Robert McKee and Ovid Grennell, to construct a dam across the Des Moines river;
Was read a second time; and,
On motion of Mr. Brierly,
The same was ordered to be engrossed and read a third time tomorrow.

No. 51, H. R. file, An act regulating practice in the District Courts;

Was read a second time; and,
On motion of Mr. Rogers,
The same was ordered to lie on the table.

No. 55, C. file, An act authorizing the Judge of probate of Van Buren county, to appoint some suitable person to transcribe the probate records of said county;
Was read a second time; and,
On motion of Mr. Lewis,
The was ordered to be read a third time on to-morrow.

The report of the committee, to whom was referred

No. 70, H. R. file, A bill relative to the probate of wills, executors, administrators, guardians, trustees of minors and probate courts, and for defining their duties;
Was considered and concurred in.

No. 45, H. R. file, A bill to provide for assessing and collecting County and Territorial revenue;
Was read a third time.

Mr. Hackleman moved
To amend the 7th section by adding thereto, the following:
"Provided, That when any person or persons shall sell or convey any part of a certain tract of land or town lots, with improvements thereon, by deed or otherwise, and thereby making said tract unequal in value, by said division, it is hereby made the duty of said purchaser to have his name inserted on the assessment roll, by the Clerk of the Board of Commissioners. And the land so purchased, shall be transferred from said grantor to said purchaser, and if the parties cannot agree on the value of said land, so transferred, it shall be the duty of said Clerk to decide the matter of difference and fix the value thereof, on each tract, so as to retain the same valuation, on the whole tract as if it had never been divided, for which said Clerk shall receive twelve and a half cents for each transfer;"
Which was agreed to.

Mr. Newell moved
To amend the 9th section by adding thereto, the following:
"Provided, That all keel and flat boats, and all wharf boats, shall be taxed according to their real value in cash;"
Which was agreed to.

Mr. Sales moved
To refer the same to a select committee of three; which was lost.
Mr. Sales moved to lay said bill on the table; which was lost.

The question recurring upon the passage of said bill;
Upon which the yeas and nays were ordered;
Yeas 14, Nays 12.

Those who voted in the affirmative were,

Messrs. Andros,	Hepner,	Rogers,
Barton,	Lewis,	Steele,
Brierly,	McCulloch,	Wilson,
Goddard,	McMillan,	Speaker.
Hackleman,	Robertson,	

Those who voted in the negative were,

Messrs. Berry,	Culbertson,	Sales,
Blair,	Felkner,	Swearingen,
Briggs,	Jay,	Thornton,
Bunker,	Newell,	Walworth.

So the bill passed and title was agreed to.

Mr. Barton, from the select committee, to whom was referred

No. 48, H. R. file, A bill providing for and regulating general elections in this Territory;

Reported the same back to the House with amendments.

No. 81, H. R. file, An act requiring certain county officers to keep their offices at the county seat;

Was read a third time, passed and title agreed to.

The report of the select committee, to whom was referred

No. 48, H. R. file, A bill providing for and regulating general elections in this Territory;

Was taken up and considered, and the question upon the amendments of the committee, to wit: "Sec. 1. In the third line after the word "Treasurer" insert "one assessor in each organized township, and where the townships are not organized, there shall be elected in each precinct, or."

And insert in the 3d section of the 2d line, after the word "townships," the following: "But in all organized townships, the trustees of said townships shall act as judges of all elections held under the provisions of this act; and the township clerk act as one of the clerks, of said elections, taking to his assistance some suitable person, to be approved of by said Trustees."

Which were put and agreed to.

Mr. Andros moved

To refer the same to a select committee;

Which was lost.

Mr. Hepner moved

To refer the 1st, 2d and 3d sections of said bill to a select committee of three;

Upon which question a division was called for; and upon the question,

Shall the 1st and 2d sections be so referred?

Was put and agreed to.

The question then recurring upon so referring the 12th section; and,
Upon which the yeas and nays were ordered;
Yeas 15, Nays 11.

Those who voted in the affirmative were,
Messrs. Andros,
Barton,
Berry,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Lewis,
McCulloch,
McMillan,
Rogers,
Swearingen,
Speaker.

Those who voted in the negative were,
Messrs. Blair,
Brierly,
Bunker,
Jay,
Newell,
Robertson,
Sales,
Steele,
Thornton,
Walworth,
Wilson.

So the motion to refer was agreed to.

The Chair appointed Messrs. McMillan, Hackleman and Rogers, said committee.

On motion of Mr. Jay,
Mr. Lewis was added to said committee.

On motion of Mr. Andros,
Mr. Hepner was also added to said committee.

No. 45, C. file, An act relative to promisory notes, bonds, due bills, and other instruments of writing;
Was read a first time.

On motion of Mr. Walworth,
The House adjourned.

TWO O'CLOCK, P. M.

Mr. Barton moved a call of the House which was had, and absent members sent for; when,
On motion of Mr. Barton,
The further call of the House was dispensed with.

The following message was received from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—The Council have concurred in the amendments made by the House, to the amendment of the Council, to
No. 57, H. R. file, An act establishing the prices of public printing.

Mr. Hackleman presented the petition of sundry citizens of Lee county, asking the relocation of a certain Territorial road;

Which,

On motion of Mr. Hackleman,

Was referred to the delegation from Des Moines and Lee counties; and,

On motion of Mr. Hackleman,

No. 44, C. file, A bill to relocate the Territorial road leading from Burlington in Des Moines county, via Fort Madison in Lee county, to the bridge on Sugar Creek in said county;

Was taken from the table,

And referred to the same committee.

On motion of Mr. Robertson,

No. 77, H. R. file, A bill for the relief of Laurel Summers;

Was taken from the table.

Mr. Robertson moved

That said bill be engrossed and read a third time on to-morrow.

A division of the question was called for,

And the question being upon engrossing said bill,

Was put and agreed to.

No. 22, C. file, An act subjecting real and personal estate to execution;

With amendments made in committee of the whole, was taken up and considered.

Mr. Newell moved a call of the House,

Which was had.

Mr. Barton asked and obtained leave of absence for Mr. Wilson.

On motion of Mr. Lewis,

The further call of the House was dispensed with.

The following amendments made in committee of the whole, to said bill, were read and concurred in, namely:

Add to the 8th section "and by publishing the same in some newspaper printed in the county if there be one, for four weeks."

Add to the 9th section: "And in all cases in addition to the above notifications of such sales, the officer shall give notice in writing to the defendant in execution or leave such notice at his last or usual place of abode."

Strike out the 18th section.

Add to the 20th section: "And provided, also, the officer shall be liable to the plaintiff for the value of the property so delivered."

Strike out the word "thirty" in the last line of the 23d section, and insert "sixty."

Strike out all after the word "officer" in the fourth line of the 24th section.

Strike out the 27th section.

Strike out the word "that" in the second line of the twenty-eighth section.

Add to the 29th section: "Provided, that no executions already issued shall be affected by this repeal section. All deeds of real estate made by any Sheriff or other officer under this act shall be recorded in the same manner as other deeds of real estate are now required by law to be recorded. And in failure of such record, such deeds shall not be valid, as against an innocent purchaser without notice."

Mr. Lewis moved

To amend the amendment of the committee of the whole, which was to strike out the 21st section, by adding the following:

"Provided, that any person who stays any judgment shall not be entitled to the benefit of the appraisment law, as provided for in this act."

Which was agreed to.

The question on agreeing to the amendment of the committee of the whole, viz: "strike out the 21st section;"

Was taken and lost.

The committee struck out the 22d section, and was disagreed to by the House.

Mr. Robertson then moved further to amend by adding the following:

"Sec. –. That nothing in this act contained shall be so construed as to effect executions which may issue upon judgments obtained prior to the passage of this act."

Which was agreed to.

Mr. Felkner then moved to strike out the 6th section of the bil;

Upon which question the yeas and nays were ordered;

Yeas 8; Nays 18.

Those who voted in the affirmative were,

Messrs. Barton,
Bunker,
Felkner,
Hepner,
Jay,
Swearingen,
Thornton,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Berry,
Blair,
Brierly,
Briggs,
Culbertson,
Goddard,
Hackleman,
Lewis,
McCulloch,
McMillan,
Newell,
Robertson,
Rogers,
Sales,
Steele,
Walworth,
Speaker.

So the motion was lost.

Mr. Hackleman moved to amend the proviso to the 20th section, by adding the following:

"Unless such officer shall make it appear to the satisfaction of the Court that said bail was good at the time of taking the same."

Which was agreed to.

Mr. Bunker moved

To amend the fifth section, by striking out the word "twelve" where it occurs before the word "sheep" and insert "three," and after the word "sheep" insert "for each member of the family."

Which was lost.

Mr. Rogers then moved

To amend the 4th section by striking out all after the word "chattels" in the first line, to the words "an oath" in the 4th line, and inserting:

"Three disinterested persons having the qualifications of jurors shall be chosen to appraise the same. One to be named by each party and the third to be chosen by the officer making the levy; Provided, if either party neglect to make such choice, said officer shall choose for him and administer to the appraisers."

Upon which question the yeas and nays were ordered;

Yeas 18; Nays 7.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Briggs,
Bunker,
Culbertson,
Felkner,
Hackleman,
Jay,
Lewis,
McCulloch,
McMillan,
Newell,
Robertson,
Rogers,
Sales,
Steele,
Thornton,
Walworth.

Those who voted in the negative were,

Messrs. Berry,
Blair,
Brierly,
Goddard,
Hepner,
Swearingen,
Wilson.

So the amendment was agreed to.

Mr. McMillan moved

To strike out all after the word "provided" in the 36th line, to the word "provided" in the 45th line.

Which was agreed to.

Mr. Rogers then moved to strike out the 4th section.

Upon which question the yeas and nays were ordered;

Yeas 2, Nays 24.

Those who voted in the affirmative were,

Messrs. McMillan,
Rogers.

Those who voted in the nagative were,

Messrs. Andros,
Barton,
Berry,
Blair,
Brierly,
Briggs,
Bunker,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Jay,
Lewis,
McCulloch,
Newell,
Robertson,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson,
Speaker.

So the motion was lost.

Mr. Felkner moved to refer the bill to a select committee of five;

Which was agreed to; and,

The Chair appointed Messrs. Felkner, Hepner, McMillan, Newell and Robertson said committee.

The following message was then received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have passed,

No. 58, H. R. file, A bill to authorize Henry De Camp and Samuel H. Colyer to keep a ferry across the Mississippi at the town of Wyoming.

On motion of Mr. Briggs,

The House adjourned.

WEDNESDAY MORNING, FEBRUARY 1, 1843.

The House met pursuant to adjournment.

Mr. Briggs presented the petition of the county commissioners of Jackson county, relative to raising the county revenue of said county.

On motion of Mr. Briggs,

The same was referred to a select committee of three.

The Chair appointed Messrs. Briggs, Goddard and Andros.

Mr. Barton, from the committee on engrossed bills, have examined

No. 84, H. R. file, An act to authorize Robert McKee & Ovid Grinnell, to construct a dam part way across the Des Moines river;

No. 77, H. R. file, An act for the relief of Laurel Summers;

And find the same to be correctly engrossed.

Mr Barton, from the committee to whom was referred the petition of sundry citizens of Van Buren county in relation hereto, reported,

No. 85, H. R. file, A bill to locate a Territorial road from the northern limits of Missouri to Keosauqua in Van Buren county;

Which was read a first time.

Mr. Andros, on previous notice and leave granted, introduced,

No. 86, H. R. file, A bill to provide for holding elections at Saint Peters and other places;

Which was read a first time.

Mr. Briggs, from the committee, to whom was referred the petition of sundry citizens of Jackson county in relation hereto, reported,

No. 87, H. R. file, A bill to incorporate the Jackson County Academy;

Which was read a first time.

Mr. Walworth, from the select committee, in relation thereto, made the following report:

The committee appointed by this House with instructions to cause Jesse Williams and Thomas Hughes, editors of the Iowa Capitol Reporter, to appear before said committee, and to them give testimony under oath in relation to certain remarks contained in the seventh number of said paper, under date of January 21st, 1843, alleging that "some offers and promises of personal reward and private advantage had been made from a certain quarter, to certain members of the Legislature, in consideration that they would interpose to save the bank," and asserting that "it undoubtedly had weight in the change of opinion" among members of this Legislature, which remarks are as follows:

"To justify these gentlemen in a little better manner than they have done in the article in question, and to show that they are not altogether fools, it is necessary for us to state, and inform the public, that they have a much more substantial argument for so sudden and great a change, some offers and promises of personal reward and private advantage, have, it is well known here, been made from a certain quarter, to certain members of the Legislature, in consideration that they will interpose to save the Bank. There might have been some delicacy in putting this into the manifesto, but it undoubtedly had more weight in the change of opinion than an expectation that the State Bank of Illinois, unable to redeem its own bills, can spare $50,000 to carry on business abroad;"

Would respectfully report, That they have had the subject referred to them under consideration, and herewith submit the result of their investigation.

Your committee met on the evening of January 23d, and, after organizing, addressed the following note to Messrs. Williams and Hughes:

JANUARY 23, 1843.

To Jesse Williams & Thomas Hughes—

The committee, appointed by the House of Representatives to take testimony in relation to a certain charge made in the Iowa Capitol Reporter against certain members of the Legislative Assembly, request that you appear before them, now in session, for the purpose of giving such testimony as you may be in possession of, in relation to said charge.

GEO. H. WALWORTH,
Chairman of Committee.

To this note the committee received the following reply:

GEORGE H. WALWORTH, Esq.
Cha'n. of Com. of Investigation.

Sir—Having received a summons to attend before the Committee of Investigation, appointed to inquire into the truth of certain allegations made in the Reporter of Saturday last, that offers and promises of personal rewards and private advantage, had been made from a certain quarter to certain members of the Legislature. In answer thereto we would state, that we will very cheerfully appear before the committee if an opportunity can be afforded to make a full investigation of the matter; and for this purpose we will ask to have such witnesses as we shall name (now in this city) summoned before the committee, and such questions propounded to said witnesses as we shall suggest.

Very respectfully,
Your obedient servant,
HUGHES & WILLIAMS.

To this communication your committee addressed the following answer:

JANUARY 23, 1843.

To Messrs. Hughes & Williams:

Your communication in answer to the communication of this committee requesting your attendance before them, is now before the committee, in answer to which they have instructed me to say, that their object is to have a full investigation of the matter submitted to them; and, to this end, they will send for any witnesses you may suggest (in this city,) who may be in possession of any information relative to the matter before them, and will propound any questions you may suggest relative to the investigation.

GEO. H. WALWORTH,
Chairman of Committee.

After which Jesse Williams appeared before the committee, and, being sworn, was asked the following questions, and gave the answers annexed:

Question. To whom does the words "certain quarter" refer in the following sentence: "Some offers and and promises of personal reward and private advantage, it is well known here, have been made from a certain quarter," &c.?

Answer. To Dr. Barrett, of Springfield, Illinois. I have seen a letter over the signature of Richard F. Barrett, written to a member of the Legislature, setting forth that, in case he would use his influence to sustain the Miners' Bank of Dubuque, it should be of personal benefit to him if ever opportunity offered.

Question. Will you state to the committee which of the members received this letter?

Answer. It was James M. Morgan.

Question. Have you seen any other communications on this subject?

Answer. I have not; but the letter stated that letters of the same kind were or would be written to Messrs. Springer, Patterson and Leffler, on the same subject.

Question. Have you any reason to believe that Mr. Morgan has been influenced in his legislative action upon a bill now pending before the House for the repeal of the charter of the Miners' Bank of Dubuque, by the promises contained in the letter received from Barrett?

Answer. I have no reason to believe the letter had any influence whatever on Mr. Morgan's conduct.

Question. Do you know of any facts that lead you to believe that any member of either branch of the Legislature has been, in any degree, influenced in his legislative action upon this subject, by any "promise of reward or private advantage"?

Answer. I know of no facts; have heard some intimations, which, if true, might influence some men; would not say any member of the Legislature.

Question. From whom have you heard those intimations?

Answer. From Dr. Andros and Mr. Rogers.

Question. What were those intimations?

Answer. Dr. Andros once told me that votes for sustaining the Bank were worth something; but, stated that if all the people of his district should petition him, he would not vote to sustain the Bank.

Question. Did Dr. Andros say what votes were worth?

Answer. He did not.

Question. Have you heard any intimations from any one else?

Answer. Do not recollect of any at this time.

Question. Do you know of any other matter or circumstance that would be important to the investigation now being made by the committee?

Answer. Do not.

JANUARY, 24, 1843.

Committee met pursuant to adjournment.

James M. Morgan appeared before the committee, and, being sworn, the following questions were put to him by the committee, to which he gave the annexed answers:

Question. Has any offer, promise or intimation been made to you that any course of conduct, or any action, or vote, on your part, in relation to a bill now pending concerning the Miners' Bank of Dubuque, should or would be to your individual profit, advantage or emolument?

Answer. I have received a communication, in writing, from Dr. Richard F. Barrett, dated "Springfield, Illinois, Dec. 26th, 1842," which letter was handed me by Mr. Mobley, and which I conceive to have been intended to "influence my vote." I have the letter with me—but, before reading or presenting it to the committee, I deem it due to myself to make the following explanation:

I am well acquainted with Dr. Barrett, and a friendly intercourse has always existed between us. Presuming upon this old friendship, which he had a right to do in all matters of a friendly character, the Doctor has addressed to me a "confidential" letter; but I deem it due to myself to say, that the Doctor presumed too much when he took the liberty of addressing me such a letter as that which I shall herewith present, and in which he most improperly seeks, as I think, to influence my vote. On the receipt of this letter, conceiving that the very extraordinary character of its contents absolved me from every obligation to consider said letter as strictly confidential, or as even confidential in the slightest degree, I showed it to some three or four of my friends, and asked their opinion as to the course I should take. We disagreed in opinion; they, or some of them, advising that I should lay it before the House, or in some way give it publicity. I declined taking either course. I declined laying it before the House, because it would not have been in the power of the House to take any action in the matter, as the writer is a citizen of another State, and for such an offence could not be arraigned before any of the authorities of this Territory. I declined publishing it in the newspapers, because I did not wish voluntarily to become the accuser of any one, nor did I wish to beg a public controversy of so unpleasant a character. Consequently, the receipt of such a letter has, together with its contents, thus far, been known to but few, and probably never would have been known beyond those few but for this investigation, which compels its publicity. It is, perhaps, proper for me to add, that the editors of the Reporter never knew from me that I had such a letter, nor did either of them ever see said letter until Sunday night last, when, hearing of the intention of certain members of the Legislature to inquire into the truth of the remarks of the Reporter, Col. Williams called upon me and inquired whether I had received a letter from Dr. Barrett, or any one else, on the subject of the Bank. I told him I had received a letter on that subject, and showed him Dr. Barrett's. Nor was I aware, until then, (as I had not read closely the Reporter of Saturday,) that any allusions whatever had been made in that paper to any such letter or letters. Thus much I have deemed necessary by way of explanation of my own conduct, and for the purpose of introducing the letter properly to the committee. I surrender it with some regret, as it is calculated to add nothing to the fair fame of an individual whom I have always highly respected, but who, in his zeal to accomplish what may have been to him an important object, has certainly forgotten what was due to the feelings and character of others. His letter reads as follows:

"Springfield, Illinois,
Dec. 26, 1842.

"Dear Sir: (Confidential.)

"The Dubuque Bank charter is owned by the Gas Light company in St. Louis, and I am in treaty for it. If I get it, a company of us who can put in from 50 to $100,000 capital in specie, and we will make it one of the best banks in the Union. I see the charter is menaced. Now I ask your kind offices in preventing its destruction until I can have time to consummate my arrangements. You know my attachments and interests at Burlington, and if I succeed, the institution can and shall throw benefits to that city, and to the whole Territory, and upon you, too, individually, if an opportunity should offer.

"I shall write to Leffler, Springer and Patterson on the subject, and will also try and have the Dubuque delegation influenced. All I want is six or eight months to make arrangements and clear incumbrances from the bank. The capital to start it can be gotten at any time.

Your friend, truly,
RICHARD F. BARRETT."

Question. Has any other offer of "personal reward or private advantage" been made to you in consideration of any action of yours upon the bill now pending before this Legislature concerning the bank?

Answer. There has been none farther than Dr. Barrett's letter would indicate, nor from any other individual.

Question. Have you seen made in writing, or heard made in speech, any overture, promise or intimation similar to either of those in the first question propounded, to any member of either branch of the Legislature?

Answer. None, excepting that contained in the letter addressed to myself.

Dr. F. Andros, sworn.

Question. Have you, since your election as a member of this Legislature, had any conversation, either written or oral, in relation to your intended action in the Legislature upon the matter of the Miners' Bank of Dubuque, from any person interested in said bank, or from any person acting in behalf of those interested, or from any other person, by way of influencing your action or vote in favor of said bank?

Answer. I had a conversation with Messrs. Booth and Corriell on the subject. No offers of money or personal reward were made. Corriell said I would be used up, politically, if I went against the bank.

Question. Has any offer, promise or intimation been made to you, that any course of conduct, or any action, or vote on your part, in relation to a bill now pending concerning the Miners' Bank of Dubuque, should or would be to your individual profit, advantage or emulument?

Answer. No other way than politically.

Question. Did you ever receive any intimation of what a vote would be worth?

Answer. No, unless by way of a joke.

David Bunker, Joseph Newell, Henry Felkner, and R. D. Barton, being sworn, stated that no offers or promises whatever had been made to them upon the subject; that they knew of none having been made to others, and answered questions similar to the preceding in the negative.

George H. Walworth, sworn.

Question. Has any offer, promise or intimation been made to you, that any course of conduct, or any action, or vote, on your part, in relation to a bill now pending concerning the Miners' Bank of Dubuque, should or would be to your individual profit, advantage or emolument?

Answer. None whatever.

Question. Did T. Davis, Augustus Corriell, or any other individual, intimate to you that it would prove to your advantage to sustain the Miners' Bank?

Answer. They did not. No offer or intimation has ever been made to me, by any individual, either orally or written, that I should receive any benefit, reward or advantage whatever, either directly or indirectly, consequent upon any action of mine in relation to said Bank.

Question. By Jesse Williams. Did you furnish the editor of the Standard the information as to the fifty thousand dollars to be furnished for the Bank?

Answer. I have furnished no information, unless it was obtained from statements made by me on the floor of the House, or from some casual conversation not now recollected.

Question. Have you seen made in writing, or heard made in speech, any overture, promise or intimation similar to either of those in the above questions, to any member of either branch of the Legislature.

Answer. I have not, except that contained in General Morgan's letter.

Mr. Mobley, sworn.

Question. Did you bring any letter or letters, to any members of this Legislature; and if so, to whom?

Answer. I did. I brought a letter to Mr. Morgan, Mr. Springer, Mr. Leffler and Mr. Wm. Patterson. I received the letters at Dubuque, from Dr. Barrett, and sealed them and handed them to the gentlemen to whom they were directed.

Question. Did you know the contents of those letters before you delivered them?

Answer. I did; but do not hold myself responsible for any thing they contain.

Question. Do you know Mr. Corriell to have made any offers or intimated to any individuals that it would be to their advantage or benefit to sustain the bank?

Answer. I know of no offer having been made, except what is before the committee, nor have I made any myself to any person.

Mr. G. Hepner, sworn.

Question. Has any offer, promise or intimation been made to you, &c. &c. (as in former questions?)

Answer. None whatever.

Mr. Francis Springer, sworn.

Question. Has any offer, promise or intimation been made to you, &c. (as in the preceding question?)

Answer. None whatever. No intimation of the kind has ever been made to me, either directly or indirectly.

Question. Have you received any letter from any one interested in said bank, or supposed to be interested in procuring a continuation of the bank?

Answer. I have received a confidential communication from Dr. Barrett on the subject, which may be seen by the committee if they desire it.

By request of the committee, the letter was read, and is as follows:

"SPRINGFIELD, ILLINOIS,
Dec. 26, 1842.

"Dear Sir: (Confidential.)

"The charter and stock of the Dubuque Bank is owned by a broken Insurance Company in St. Louis, and I am in treaty for it. If I can get it clear of some incumbrances which now rest on it, $100,000 capital, if necessary, can be furnished, and it can be made one of the best banks in the Union. It cannot now be gotten hold of; and, should your Legislature destroy the charter, there will be no inducement to get hold of it. The object of this letter is to ask your services, if consistent with your views, to sustain the charter for a few months, until I can make arrangements to clear it up. If I get it, I hereby pledge my honor to you that it shall be a bank of solid capital, and one that shall confer benefits to the whole Territory.

"I have not the pleasure of knowing the Dubuque delegation, but steps will be taken to obtain their favorable action to the sustenance of the charter for a limited time.

Your friend, truly,
RICH'D F. BARRETT.

Hon. Francis Springer."

Question. Have you seen made in writing, or heard made in speech, any overture, promise or intimation, similar to those made in the preceding questions, to any member of either branch of the Legislature?

Answer. Have not, except that contained in the letter to Mr. Morgan.

Mr. Andros was asked the following:

Question. Do you know any thing pertinent to the examination now being made?

Answer. Was told by Mr. Corriell that those who were friendly to the bank could obtain loans, &c.

Mr. Mobley was asked if Mr. Corriell had any interest in the Bank?

Answer. He has no interest in the Bank that I am aware of, except as a bill holder to the amount of about $500.

Mr. Wm. Patterson, sworn.

Question. Has any offer, promise or intimation been made to you, &c. (as contained in the preceding questions?)

Answer. None whatever.

Question. Have you held any conversation with any person interested, or supposed to be interested, in the Miners' Bank, or in preserving the charter of the same?

Answer. I have received a letter from Dr. Barrett, which may be read before the committee if they desire it.

The letter was produced and read to the committee, and found to contain no promise or intimation of personal reward or private advantage. It reads as follows:

"SPRINGFIELD, ILLINOIS,
Dec. 26, 1842.

"Dear Sir: (Confidential.)

"The charter and stock of the Dubuque Bank is owned by the Gas Light Company in St. Louis. I am in treaty for it, if the charter can be sustained by your Legislature; and a company of us will put in from 50 to $100,000 capital in specie at once, as soon as the charter or stock can be cleared of some incumbrances. If it is destroyed by the Legislature, there will be no motive in doing so; but if sustained until we can have time to consummate our plans, a bank that will confer benefits to the whole Territory can and shall be made of it.

"The Banks in this State will be forced into liquidation, and if the Dubuque Bank can be saved, it and the Missouri Bank will be all in this portion of the county. I expect you, in the general, are opposed to banks, particularly such as we have had. This, however, if I become concerned in it, shall be the best in the west. I pledge you my honor to this, and you may rely on it. So if you can, consistently with your views, sustain it, I hope you will do so, and it will place me under lasting obligations to you.

Your friend, truly,
RICHARD F. BARRETT."

Question. Has it ever been intimated to you that any course of conduct on your part in relation to said Bank would be a means of procuring for you any loan or loans of money from said Bank?

Answer. It never has.

Question. Have you seen made in writing, or heard made in speech, any overture, promise or intimation, similar to either of those named in the above questions, to any member of either branch of the Legislature?

Answer. Have not.

Mr. Hughes, one of the editors of the Reporter, sworn.

Question. To whom do the words "certain quarter" refer, in the sentence in the Reporter, setting forth that promises of personal reward had been made from a "certain quarter"?

Answer. Mr. Barrett, of Springfield.

Question. To whom do the words "certain members of the Legislature" refer in the sentence "some offers and promises of personal reward and private advantage, have, it is well known here, been made from a certain quarter to certain members of the Legislature"?

Answer. None others but those members who have received letters spoken of by Mr. Williams.

Question. Have you any reason to believe that either of those members have been influenced by any overtures or promises made to them?

Answer. Have not.

Question. To whom do the words "certain men" refer in the sentence "it has been better known from the beginning how certain men would act in this matter than they probably imagine"?

Witness declines answering the question. Mr. Williams, the other editor, declines answering the same question.

JANUARY 26, 1843.

Messrs. I. N. Lewis, Thomas McMillan, J. B. Teas, J. M. Robertson and S. Leffler were sworn.

Question. Has any offer, promise or intimation been made to you, or either of you, that any course of conduct, or any action, or vote, on your part, in relation to a bill now pending concerning the Miners' Bank of Dubuque, should or would be to your individual profit, private advantage or emolument?

Answer. By Mr. Leffler. All the inducements held out to me were of a public nature, as contained in a letter received from Mr. Barrett.

The letter was produced and read to the committee, and was found to contain no promise or intimation of private reward.

The letter is herewith submitted to the House, and is as follows:

"SPRINGFIELD, ILLINOIS,
Dec. 26, 1842.

"Dear Sir: I talked to you, when I last saw you, on the subject of the Miners' Bank of Dubuque. The stock is owned by the Gas Light Company of St. Louis, which has wholly failed. There are also some incumbrances on the stock that cannot be removed immediately, but, if I am allowed a little time, I think they can be. So save the charter if possible until I can have time to turn around. If it can be saved, one of the best institutions in the west can be made of it, and can and shall be made useful to Burlington, and the whole Territory. You know me and my resources; you know, also, that I never Wild Cat it, and if I take hold of this, I pledge to you my honor it shall be the very best Bank in the West.

Be kind enough to attend to the other matters I informed you of, and oblige

"Your sincere friend,
"RICH'D F. BARRETT."

P. S. Say nothing, but be sure to save the charter. Rogers, of Dubuque, will be put right, ~~if possible, by Mr. Mobley and Mr. Corriell~~, and appliances are already in motion to do it.

[A portion of the postscript was erased as above.]

The above question was answered in the negative by Messrs. Lewis, McMillan, Teas and Robertson.

Other questions (of like import to those asked witnesses before examined) were then put to all the witnesses on the stand, and all answered in the negative.

JANUARY 27, 1843.

The following witnesses, members of the Legislature, were sworn:

J. P. Cook, J. D. Elbert, Gen. Gehon, Thos. Cox, A. Briggs, Evan Jay, John C. Berry, Peyton Wilson, J. W. Culbertson, James Brierly, E. S. McCulloch, R. M. G. Patterson, W. Steele, D. E. Blair, E. Goddard, and Samuel Swearengin—to each of whom were put the same questions that had been propounded to the other witnesses, to all of which they each answered in the negative, excepting Thos. Cox, who stated that he had received letters upon the subject of the Bank, but that they contained no promises or intimations of private or personal reward.

Mr. Rogers was then sworn.

The before mentioned questions were propounded to Mr. Rogers, and were answered in the negative, excepting that Mr. Corriell told Mr. Rogers that the Bank would be in the hands of his friends, and that Mr. Davis would not be the attorney of the Bank any longer.

Pleasant Harris and D. J. Sales were then sworn.

To whom the questions were put as above, and answered in the negative.

Your committe would state that the testimony herewith submitted, is the result of an examination of all the members of both branches of the Legislature, the editors of the Reporter, Messrs. Hughes & Williams, and Mr. Mobley, a gentleman from Springfield, Illinois, who brought the letters from Dr. Barret to Messrs. Morgan, Springer, Leffler and Patterson, as represented in the testimony.

Your committee have examined all witnesses who were supposed to be in possession of any information relative to the matter submitted to them, and have included in the report all testimony important or relevant to the matter under consideration.

It will be seen from the testimony that Richard F. Barret, of Springfield, Illinois, has addressed four letters to members of the Legislature—one to a member of the House, and three to members of the Council. The one to the House addressed to James M. Morgan, contains a promise of private advantage, by which it appears that Mr. Barrett has very improperly sought to influence Mr. Morgan's action in relation to the Miners' Bank of Dubuque.

The letters sent to members of the Council, are herewith submitted, and will be seen to contain nothing improper, or in any degree objectionable.

It is but justice to Mr. Morgan, as well as to Messrs. Rogers and Andros, to say that it does not appear from the testimony, that they have been influenced in the slightest degree, by such promises or intimations; but on the contrary, the testimony as well as their conduct, shows most conclusively that they were not.

By the testimony it appears that no promise or intimation has been made to any other members of either branch of the Legislature, and as it is stated by the editors of the Reporter that they had no reason to believe that either Messrs. Morgan, Rogers or Andros, were influenced in any degree by any overtures made to them, and that they know of no facts or intimations that lead them to suppose that any other member has been influenced in any degree, by any such overture, it appears evident to your committee, that the allegations contained in the Reporter "that offers and promises of personal reward and private advantage" had, undoubtedly, had weight in the change of the opinion of members, is not only unsustained by any testimony, but is proven to be untrue.

It further appears, by the testimony of the editors themselves, that they had not the slightest grounds upon which to base the charge.

Your committee would, therefore, recommend the adoption of the following preamble and resolutions.

Whereas, it appears by the testimony herewith submitted, that overtures, highly improper, have been made by Richard F. Barrett, of Springfield, Illionois, to a member of this Legislature:

And whereas, it has been represented, by an article in the Iowa Capitol Reporter, that members of this Legislature have been influenced by such overtures:

And whereas, it appears from the testimony that such representation is untrue:

Therefore,

Resolved, That we regard the communication of Richard F. Barrett to James M. Morgan as highly improper and unworthy of a gentleman or an honorable man.

Resolved, That we deem the delivery of the letter by Mr. Mobley to Mr. Morgan, the contents being known to Mr. Mobley, as rendering him, to some extent, culpable or accessory to the offence commited by Mr. Barrett.

Resolved, That we regard the course pursued by James M. Morgan, in relation to said communication, as indicating no disposition to be influenced, in the slightest degree, by the overtures therein contained.

Resolved, That we regard the charge contained in the Iowa Capitol Reporter of the 21st instant, implicating members with having been influenced in their legislative action by promises of personal reward and private advantage, as utterly untrue and highly reprehensible in its character, and therefore we deem the editors justly deserving the censure of this House.

On motion of Mr. Hepner,
The report was laid upon the table.

Mr. Hackleman, from the committee to whom was referred the petition of sundry citizens of Lee county; and also,
No. 44, C. file, A bill to relocate the Territorial road leading from Burlington, in Des Moines county, via. Fort Madison in Lee county, to the bridge on Sugar creek in said county;
Begs leave to report the same back to the House and recommend its passage.

Mr. Hackleman, from the committee, to whom was referred,
No. 48, H. R. file, A bill providing for and regulating general elections in this Territory;
Reported the same back to the House with the following amendments:

Sec. 1 and 2. Strike out in the first and second sections all that relates to "Assessor," and insert "Collector" in lieu thereof.

Sec. 12. Strike out all from the word "election" in the 7th line, to the word "the" in the 10th line.

Mr. Hepner, from the committee, to whom was referred,

No. 65, H. R. file, A bill to define the duties of Territorial Agent and for other purposes;

Reported the same back to the House with sundry amendments.

Mr. Lewis, from the committee on enrolled bills, reported that they had examined,

An act establishing the prices of the public printing;

And find the same to be correctly enrolled.

No. 45, C. file, An act relative to promisory notes, bonds, due bills, and other instruments of writing;

Being under consideration,

Mr. McMillan moved

To amend the 8th section, by striking out the word "lawful" in the 15th line, and inserting "the duty;"

Which was agreed to; when,

On motion of Mr. McMillan,

The same was ordered to be read a third time to-morrow.

No. 55, C. file, An act authorizing the Judge of probate of Van Buren county, to appoint some suitable person to transcribe the probate records of said county;

No. 77, H. R. file, An act for the relief of Laurel Summers; and,

No. 84, H. R. file, An act to authorize Robert McKee and Ovid Grennell, to construct a dam part way across the Des Moines river;

Were severally read a third time, passed and titles agreed to.

No. 33, C. file, An act concerning mortgages;

Being the order of the day, was considered in committee of the whole, Mr. Andros in the chair; and,

After some time spent therein, the committee rose, and by their chairman reported progress, and asked leave to sit again;

Which was granted.

No. 39, C. file, An act concerning costs and fees;

Being the order of the day, was considered in committee of the whole, Mr. Berry in the Chair, and,

After some time spent therein, the committee rose, and, by their chairman, reported progress and asked leave to sit again;

Which was granted; when,

On motion of Mr. Barton,

The House adjourned.

TWO O'CLOCK, P. M.

No. 39, C. file, An act concerning costs and fees;

Was resumed in committee of the whole, Mr. Berry in the chair; and,

After some time spent therein, the committee rose, and by their chairman reported the same back to the House with sundry amendments;

Which were concurred in.

On motion of Mr. Newell,

The amendments were ordered to be engrossed and with the bill read a third time to-morrow.

The following message was received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have passed,

No. 57, C. file, An act to amend an act to district the Territory into electoral districts.

No. 73, H. R. file, An act to relocate a part of a Territorial road in Washington county.

No. 79, H. R. file, An act to incorporate the Iowa Medical Society.

Also with amendments,

No. 56, H. R. file, An act relative to liens and for other purposes.

The Council have also passed,

No. 42, C. file, An act to provide for the election of Justices of the Peace, to prescribe their powers and duties, and to regulate their proceedings.

In which the concurrence of the House is requested.

I am directed to present for your signature,

An act defining the jurisdiction of the Supreme and District Courts.

An act to incorporate an Academy in Denmark, Lee county.

An act regulating mills and millers, and for other purposes.

I herewith return

An act establishing the prices of public printing.

The same having been signed by the President of the Council.

Mr. Newell moved

To take from the table, the report of the select committee of investigation, relative to a certain article in the Iowa Capitol Reporter;

Which was lost.

No. 48, H. R. file, A bill providing for and regulating general elections in this Territory;

Was taken up, and the amendments made by the select committee, to whom the same was referred,

Were read and concurred in.

Mr. Barton moved

To strike out in the 19th line of the 12th section, the words "knowing it to be false," and insert "if the same is proven to be false;"

Which was lost.

Mr. Walworth moved

To amend by inserting after the word "person" in the 25th line, the words "on being challenged;"

Which was agreed to.

Mr. Jay then moved

To strike out the proviso to said 12th section;

Which was lost; and,

On motion of Mr. McMillan,

The bill was ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Barton,

The House adjourned.

THURSDAY MORNING, FEBRUARY 2, 1843.

The House met pursuant to adjournment.

Mr. Wilson presented the petition of sundry citizens of Henry county, asking that the 4th section of the act of this Territory regulating Blacks and Mulattoes, be repealed; which,

On motion of Mr. Wilson,

Was referred to the committee on the judiciary.

Mr. Sales presented the petition of sundry citizens of Des Moines county, remonstrating against the passage of a stay or valuation law; which,

On motion of Mr. Sales,

Was ordered to lie on the table.

Mr. Bunker presented the petition of sundry citizens of Iowa Territory, asking that Hiram Himes and Abraham Scott be authorized to keep a ferry across English river; which,

On motion of Mr. Bunker,

Was referred to a select committee of three.

The Chair appointed Messrs. Bunker, Felkner and Culbertson, said committee.

Mr. Hackleman gave notice that he would, on some future day, ask leave to introduce

A bill for the relief of petit jurors in Des Moines county.

Mr. Hepner introduced the following minority report:

The undersigned, a minority of the committee of investigation appointed to receive testimony in relation to certain remarks contained in the Iowa Capitol Reporter of the 21st January, in relation to the Miners' Bank of Dubuque, being unable to concur in the report of the majority of the committee, beg leave to state their views to the House.

The committee proceeded to take testimony in relation to the matter referred to them; and the testimony so taken is submitted to the House in the report of the majority of the committee.

By that testimony it appears that offers of individual advantage were made to some of the members of the Legislature, to induce them to favor the Bank, as it was stated in the Reporter. The knowledge of these offers should have awakened a vigilant and faithful public press, and were such as required that they should be made known to the public. We cannot consider the editors of the Reporter as obnoxious to any censure for making it known. What the influence of these offers may have been on individuals was matter of opinion and inference only. The offers were corrupting, and therefore alarming.

The other city press had stated that many members who were at first opposed to the Bank and in favor of repeal of the charter, had changed their opinions; and at the same time stated reasons for the change, which to many minds would be considered fallacious and insufficient certainly to work so sudden and great a change.

This fact certainly was such as might well create a suspicion that the corrupt offers known to have been made had not fallen wholly without effect. It was stated in the article which has given rise to the investigation, as matter of faith not of fact, as suspected not as known. We cannot therefore think the editors of that journal in fault.

But we have another reason for not concurring in the resolution which declares them worthy of censure. The matter is not, as we think, within the authority or jurisdiction of this House. The public and the press have a right to speak of the conduct of members of the Legislature, as freely as of others. If there is any difference, more liberty is allowed in speaking of public, than of private men. If the press transcends its rightful limits, the judicial tribunals of the land are open for the redress of the injured party. But the Legislature cannot punish or censure an individual for speaking against its members. This authority it is well known was assumed by Congress in the last century, well known as the gag law. But the law received, as it deserved, the execration of the nation, and was very speedily repealed. The last forty years has not witnessed the assumption of such a power by any Legislature in the Union, and it has long been regarded as dangerous to attempt it. It could not now be done with safety. The public in this country will not allow the press to be muzzled; but the law holds out a remedy for any one injured by its licentiousness. The judiciary department of the government is the proper deposit of this power. The law as it exists is a sufficient protection to the citizen, whether in a public or private capacity, and any action of the Legislature in the matter would be an encroachment on the judicial branch of the government, an exercise of power without law, and in derogation of the justly valued rights of the citizen and of the public press. We are therefore of opinion, that, the House having no power to censure, it would be merely unavailing to declare that the editors of the Reporter are worthy of reprehension.

The committee of investigation was raised upon the motion of the gentleman who makes the majority report, for the purpose, as it was declared, of showing his innocence, and of ascertaining if other members were guilty, not for the purpose of punishing or censuring the press. The House would not have raised a committee for the latter purpose, well knowing it is beyond their power.

The committee was raised as an indulgence or favor to the mover of it, to enable him to clear his own character of the imputation which he declared rested upon it; not for the purpose or with the view of enabling him to take advantage of his place for assailing the character of the editors of the Reporter.

GEGRGE HEPNER,
HENRY FELKNER.

On motion of Mr. Morgan,
Said report was laid upon the table.

Mr. Barton, from the committee on engrossed bills, reported that they had examined

No. 73, H. R. file, An act to relocate a part of a Territorial road in Washington county.

And find the same to be correctly engrossed.

Mr. Lewis, from the committee on enrolled bills, reported that they had examined,

An act to authorize Henry De Camp and Samuel H. Colyer to keep a ferry across the Mississippi at the town of Wyoming.

And find the same to be correctly enrolled.

Mr. Hackleman moved to take up,

No. 80, H. R. file, A joint resolution to authorize Hughes and Williams to print the Laws of the present session;

Which was agreed to.

Mr. McMillan moved

To insert the word "general," after the word "the" in the 5th line;

Which was lost.

Mr. Newell moved

To strike out "Hughes & Williams," and insert "Russell;"

Pending which,

On motion of Mr. Sales,

A call of the House was ordered, which was had, and absent members sent for; when,

On motion of Mr. Barton,

The further call of the House was dispensed with.

The question then recurring upon the adoption of the amendment; and,

Upon which the yeas and nays were ordered;

Yeas 11, Nays 15.

Those who voted in the affirmative were,

Messrs. Blair,	Newell,	Thornton,
Jay,	Robertson,	Walworth,
Lewis,	Sales,	Wilson.
McMillan,	Steele,	

Those who voted in the negative were,

Messrs. Andros,	Bunker,	Hepner,
Barton,	Culbertson,	McCulloch,
Berry,	Felkner,	Rogers,
Brierly,	Goddard,	Swearingen,
Briggs,	Hackleman,	Speaker.

So the motion was lost.

Mr. Lewis moved

To fill the blank of the same with 3000;

Which was agreed to.

Mr. Hackleman moved

That the same be engrossed and read a third time on to-morrow;

Upon which the yeas and nays were ordered;

Yeas 18, Nays 7.

Those who voted in the affirmative were,

Messrs. Andros,	Felkner,	McCulloch,
Barton,	Goddard,	McMillan,
Berry,	Hackleman,	Rogers,
Brierly,	Hepner,	Steele,

Briggs,
Culbertson,
Jay,
Lewis,
Swearingen,
Speaker.

Those who voted in the negative were,

Messrs. Blair,
Bunker,
Robertson,
Sales,
Thornton,
Walworth,
Wilson.

So the motion was agreed to.

Mr. Sales offered the following:

Resolved, That James G. Edwards be employed to print the Journal of the House of Representatives, of the present session.

Mr. Morgan moved

To amend the same by inserting "480 copies" after the word print, in the second line;

Which was agreed to.

Mr. Walworth moved

To strike out "James G. Edwards" and insert "William Crum;"

Upon which the yeas and nays were ordered;

Yeas 18; Nays 8.

Those who voted in the affirmative were,

Messrs. Barton,
Berry,
Brierly,
Bunker,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Jay,
McCulloch,
McMillan,
Rogers,
Steele,
Swearingen,
Thornton,
Walworth,
Speaker.

Those who voted in the negative were,

Messrs. Andros,
Blair,
Briggs,
Lewis,
Newell,
Robertson,
Sales,
Wilson.

So the motion was agreed to.

The question then recurring upon the adoption of the resolution; and,

Upon which the yeas and nays were ordered;

Yeas 22; Nays 4.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Berry,
Blair,
Brierly,
Bunker,
Culbertson,
Felkner,
Goddard,
Hackleman,
Jay,
Lewis,
McCulloch,
McMillan,
Newell,
Rogers,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson,
Speaker.

Those who voted in the negative were,

Messrs. Briggs,	Robertson,	Sales.
Hepner,		

So the resolution passed.

The following message was then received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have passed

No. 56, C. file, An act to establish new counties and define their boundaries.

No. 59, C. file, A joint resolution authorizing pay to John B. Russell for printing the Journal of the Council of 1841 and '42.

No. 60, C. file, An act to amend an act for the incorporation of the town of Mt. Pleasant.

No. 67, H. R. file, An act to abolish imprisonment for debt;

No. 75, H. R. file, A joint resolution fixing the compensation to Wilson and Keesecker for printing the Journal of the House of Representatives for 1841 and '42.

No. 77, H. R. file, An act for the relief of Laurel Summers;

Also with amendments,

No. 27, H. R. file, An act to prevent and punish gaming;

In which, the concurrence of the House is requested.

No. 85, H. R. file, A bill to locate a Territorial road from the northern limits of Missouri to Keosauqua, in Van Buren county;

Was read a second time; and,

On motion of Mr. Barton,

The same was ordered to be engrossed and read a third time tomorrow.

No. 86, H. R. file, A bill to provide for holding elections at St. Peters, and other places;

Was read a second time; and,

On motion of Mr. Andros,

The same was ordered to be engrossed and read a third time to-morrow.

No. 87, H. R. file, An act to incorporate the Jackson county Academy;

Was read a second time; and,

On motion of Mr. Briggs,

The same was ordered to be engrossed and read a third time tomorrow.

No. 45, C. file, An act relative to promissory notes, bonds, due-bills and other instruments of writing;

Was read a third time, passed and title agreed to.

No. 42, C. file, An act to provide for the election of Justices of the Peace, to proscribe their powers and duties, and to regulate their proceedings;

Was read a first time; and,
On motion of Mr. Andros,
The same was referred to a select committee.

The Chair appointed Messrs. Andros, Hackleman, Hepner, Briggs and Barton, said committee.

No. 57, C. file, An act to amend an act to district the Territory into electoral districts;
Was read a first time.

Mr. Berry moved to reject the same;
Upon which the yeas and nays were ordered;
Yeas 13; Nays 12.

Those who voted in the affirmative were,
Messrs. Andros,
Berry,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
McCulloch,
Rogers,
Swearingen,
Speaker.

Those who voted in the negative were,
Messrs. Barton,
Blair,
Bunker,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Thornton,
Walworth.

So the said bill was rejected.

No. 56, H. R. file, A bill relative to mechanics' leins, and for other purposes;
As reported from the Council with amendments, was considered and concurred in by the House; when,
On motion of Mr. Rogers,
The House adjourned.

TWO O'CLOCK, P. M.

Mr. McCulloch, from the committee to whom was referred the petition of sundry citizens of Lee county in relation hereto, reported,
No. 88, H. R. file, An act supplemental to an act entitled an act for the relocation of the county seat of Lee county;
Which was read a first time; and,
On motion of M. McCulloch,
The 42d rule was suspended; and,

The same was read a second and third time, passed and title agreed to.

No. 38, C. file, An act to regulate weights and measures;
Being the order of the day, was considered in committee of the whole, Mr. Briggs in the chair; and,
After some time spent therein, the committee rose, and by their chairman reported the same back to the House without amendment;
Which was concurred in; when,
On motion of McMillan,
The same was ordered to be read a third time to-morrow.

No. 68, H. R. file, A bill to incorporate the Farmers' Half Breed Land Company in the county of Lee;
Being the order of the day, was taken up, and
On motion of Mr. Brierly,
The consideration of the same was postponed.

No. 70, H. R. file, A bill relative to the probate of wills, executors, administrators, guardians, trustees of minors and probate courts, and for defining their duties;
Being the order of the day was considered in committee of the whole Mr. Rogers in the chair; and,
After some time spent therein the committee rose and by their chairman reported the same back to the House with amendments;
Which were considered separately.

The question was then taken upon the first amendment of the committee, which was to strike out the 20th section, was put and agreed to.

The question was then taken upon the second amendment, which was to strike out the 34th section; pending which,

Mr. Barton moved to amend the amendment of the committee by striking out the following, "each county shall provide all books necessary for the keeping of the records in the office of the Judge of Probate;"
Which was agreed to.

The question then recurring upon the amendment as amended,
Was put and agreed to; when,
On motion of Mr. McMillan,
The same was ordered to be engrossed and read a third time to-morrow.

No. 39 C. file, An act concerning costs and fees;
Was read a third time, passed and title agreed to.

No. 74, H. R. file, A bill to amend an act entitled an act to incorporate the city of Keosauqua;

Being the order of the day, was considered in committee of the whole Mr. Lewis in the chair; and,

After some time spent therein, the committee rose, and by their chairman reported the same back to the House with amendments;

Which were concurred in; when,

On motion of Mr. Lewis,

The same was ordered to be engrossed and read a third time tomorrow.

No. 33, C. file, An act conerning mortgages;

Was taken up; and,

On motion of Mr. McMillan,

Laid on the table.

No. 65, H. R. file, A bill to define the duties of Territorial Agent;

Being reported back to the House, with sundry amendments, by the select committee to whom the same was referred,

Was considered and the amendments thereto agreed to.

Mr. Felkner then moved

To amend the 5th section in the 1st and 2d lines by striking out the words "it shall be the duty of the Agent," and insert the words "the Agent shall be authorized,"

Which was agreed to.

Mr. Felkner moved

To amend the 8th section by striking out "$800" and inserting "$500."

A division of the question was had; and,

The question was taken upon striking out and lost; when,

On motion of Mr. Hepner,

The bill was ordered to be engrossed and read a third time on Saturday next.

Mr. Barton moved

To reconsider the vote had upon engrossing,

No. 70, H. R. file, A bill relative to probate of wills, &c.;

Which was agreed to; when,

On motion of Mr. Barton,

The same was referred to a select committee of three.

The Chair appointed Messrs. Barton, Hepner and Andros, said committee.

No. 56, C, file, An act to establish new counties and define their boundaries in the late cession from the Sac and Fox Indians, and for other purposes;

No. 59, C. file, A joint resolution authorizing pay to John B. Russell, for printing the Journal of the Council;

And,

No. 60, C. file, An act to amend an act entitled an act, for the incorporation of the town of Mt. Pleasant;

Were severally read a first time.

No. 27, H. R. file, An act to prevent and punish gaming;
Being reported from the Council with amendments;
The same was considered separately, and agreed to.

No. 44, C. file, An act to relocate the Territorial road leading from Burlington, in Des Moines county, via. Fort Madison in Lee county, to the bridge on Sugar creek in said county;
Was reported back to the House by the committee to whom the same was referred, without amendment;
Was considered; and,
On motion of Mr. McMillan,
Was read a third time and passed and title agreed to.

On motion of Mr. Barton,
The House adjourned.

FRIDAY MORNING, FEBRUARY 3, 1843.

The House met pursuant to adjournment.

Mr. Bunker presented the petition of sundry citizens of Washington and Henry countys relative to a certain road; which,
On motion of Mr. Bunker,
Was referred to the delegation from Washington and Henry counties.

Mr. Newell presented the petition of Elizabeth Ridgaway, asking to be divorced from her husband Wm. C. Ridgaway; also,
The petition of sundry citizens in relation to the same; which,
On motion of Mr. Newell,
Were laid on the table.

Mr. Barton presented the petition of Mary Duval asking to be divorced from her husband Rezin Duval; which,
On motion of Mr, Barton,
Was ordered to lie on the table.

Mr. Rogers, on previous notice and leave granted, introduced
No. 89 H. R. Joint resolution relative to the printing of the Reports of the Supreme Courts;
Which was read a first time.

Mr. Walworth, gave notice that he would, on some future day, ask leave to introduce,

A bill to authorize William Dillon to keep a ferry across Cedar river at Rochester in Cedar county; also,

A bill to encourage the destruction of wolves.

Mr. Newell gave notice that he would, on some future day, ask leave to introduce,

A bill to divorce Elizabeth Ridgaway from her husband Wm. C. Ridgaway, and to change the name of her son.

Mr. Barton from the committee on engrossed bills, have examined,

No. 85, H. R. file, An act to locate a Territorial road from the northern limits of Missouri to Keosauqua in Van Buren county.

No. 80 H. R. file, Joint resolution authorizing Hughes & Williams to print the laws of the present session.

No. 48, H. R. file, A bill providing for and regulating general elections in this Territory.

No. 74 H. R. file, An act to amend an act entitled an act to incorporate the city of Keosauqua;

And find the same to be correctly engrossed.

Mr. Barton, from the select committee, to whom was referred

No. 70 H. R. file, A bill relative to probate of wills, &c.;

Reported the same back to the House with sundry amendments;

Which were concurred in; when,

On motion of Mr. Barton,

The 42nd rule was suspended;

The same was read a second and third time, passed and title agreed to.

Mr. Newell, from the select committee, to whom was referred

No. 52, H. R. file, A bill to prevent damage by the firing of prairies;

Reported the same back to the House with sundry amendments.

Mr. Felkner, from the committee to whom was referred

No. 22, C. file, An act subjecting real and personal estate to execution;

Reported the same back to the House with amendments.

Mr. Wilson, from the select committee, to whom was referred the petition of sundry citizens of Salem in relation to their town charter, reported;

No. 91 H. R. file, An act to amend an act to incorporate the town of Salem in Henry county;

Which was read a first time.

Mr. Hackleman, on previous notice and leave granted, introduced,

No. 90 H. R. file, A bill for the relief of petit jurors in certain cases;

Which was read a first time.

Mr. Brierly, from the select committee, to whom was referred the petition of sundry citizens in relation hereto, reported,

No. 92 H. R. file, A bill to authorize the county commissioners of Scott and Lee counties to grant licences to pilots, &c.;

Which was read a first time.

Mr. Lewis, from the committee on enrolled bills, reported that they had examined,

An act to incorporate the Iowa Medical Society.

Joint resolution fixing the compensation to Wilson & Keesecker for printing the Journals of the H. R. for 1841 and '42.

An act for the relief of Laurel Summers.

And find the same to be correctly enrolled.

Mr. Newell moved

That a select committee be appointed, to take under consideration all petitions relative to divorces, that have been presented, and that they be instructed to report by bill or otherwise;

Which was agreed to.

The Chair appointed Messrs. Newell, Barton, Berry, Briggs, Culbertson, Felkner, Goddard, Hackleman, McCulloch and Wilson, said committee in compliance with the above.

No. 56, C. file, An act to establish new counties and define their boundaries, in the late cession from the Sac and Fox Indians, and for other purposes;

Was read a second time.

Mr. Rogers moved to lay the same on the table;

Which was lost; when,

On motion of Mr. McMillan,

The same was committed to the committee of the whole and made the order of the day for Tuesday next.

No. 59, C. file, Joint resolution authorizing pay to Jno. B. Russell, for printing the Journal of the Council;

Was read a second time.

No. 60, C. file, An act to amend act entitled an act for the incorporation of the town of Mt. Pleasant.

No. 48, H. R. file, A bill providing for and regulating general elections in this Territory.

No. 86, H. R. file, A bill to provide for holding elections at Saint Peters, and other places.

No. 87, H. R. file, An act to incorporate the Jackson county Academy.

No. 38, C. file, An act to regulate weights and measures.

No. 74, H. R. file, An act to amend an act entitled an act to incorporate the City of Keosauqua.

No. 85, H. R. file, An act to locate a Territorial road from the northern boundaries of Missouri, to Keosauqua, in Van Buren county.

Were severally read a third time, passed and titles agreed to.

No. 80, H. R. file, A joint resolution to authorize Hughes & Williams to print the laws of the present session;

Was read a third time; and,

Upon the question,

Shall the same pass?

The yeas and nays were ordered;

Yeas 18, Nays 8.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Berry,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Jay,
Lewis,
McCulloch,
McMillan,
Rogers,
Sales,
Swearingen,
Speaker.

Those who voted in the negative were,

Messrs. Blair,
Bunker,
Newell,
Robertson,
Steele,
Thornton,
Walworth,
Wilson.

So the resolution passed.

No. 68, H. R. file, A bill to incorporate the Farmer's Half Breed Land Company, in the county of Lee;

Being the order of the day, was considered in committee of the whole, Mr. McMillan in the Chair, and,

After some time spent therein, the committee rose, and, by their chairman, reported the same back to the House with amendments;

Which were concurred in.

Mr. Barton moved

A call of the House, which was had, and absent members sent for, who appearing in their seats,

On motion of Mr. Barton,

The further call of the House was dispensed with.

Mr. Wilson moved

To amend the 9th section by inserting in the 4th line, after the word "security," the following "as in double the amount that may be committed to his charge;"

Which was agreed to.

Mr. Robertson moved

That the same be engrossed and read a third time to-morrow.

Upon which the yeas and nays were ordered;

Yeas 18, Nays 8.

Those who voted in the affirmative were,

Messrs. Barton,
Blair,
Brierly,
Bunker,
Goddard,
Jay,
Lewis,
McCulloch,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson,
Speaker.

Those who voted in the nagative were,

Messrs. Andros,
Berry,
Briggs,
Culbertson,
Felkner,
Hackleman,
Hepner,
Rogers.

So the motion to engross prevailed.

On motion of Mr. McMillan,

The House adjourned.

TWO O'CLOCK, P. M.

No. 72, H. R. file, A bill to relocate the county seat of Clayton county;

Being the order of the day was considered in committee of the whole, Mr. McCulloch in the chair; and,

After some time spent in considering the same, the committee rose and by their chairman reported the same back to the House with amendments;

Which were concurred in; when,

On motion of Mr. Wilson,

The same was ordered to be engrossed and read a third time tomorrow.

The following message was received from the Council, by Mr Fales, their Secretary:

Mr. Speaker—The Council have indefinitely postponed

No. 81, H. R. file, An act requiring certain county officers to keep their respective offices at the county seat;

The Council have disagreed to the amendment made by the House to the 20th section of

No. 39, C. file, An act concerning costs and fees;

And have amended the amendment of the House made to the 22d section;

And have concurred in all other amendments.

The Council have passed

No. 63, C. file, An act to amend an act entitled an act, for the incorporation of the town of Ft. Madison;

No. 88, H. R. file, An act supplemental to an act for the relocation of the county seat of Lee county;

Also, with amendments

No. 78, H. R. file, A joint resolution relative to seals for Delaware county, &c.;

I herewith present for your signature,

An act relative to promissory notes, bonds, due bills, and other instruments of writing.

No. 22, C. file, An act subjecting real and personal estate to execution.

With amendments, being reported back to the House, by the select committe, to whom the same was referred,

Was considered, and the amendments concurred in.

Mr. Newell moved

To recommit the same to a select committe.

Mr. Newell moved

A call of the House, which was had,

And absent members sent for, who appearing in their seats,

On motion of Mr. Briggs,

The further call of the House was dispensed with.

The question then recurring upon the original motion, which was to recommit the bill to a select committee.

Upon which the yeas and nays were ordered;

Yeas 19, Nays 7.

Those who voted in the affirmative were,

Messrs. Andros,
Berry,
Blair,
Brierly,
Briggs,
Bunker,
Culbertson,
Goddard,
Hackleman,
Hepner,
Jay,
McCulloch,
Newell,
Robertson,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Barton,
Felkner,
Lewis,
McMillan,
Rogers,
Sales,
Speaker.

So the motion was agreed to; and,

The Chair appointed Messrs. Newell, Jay and Blair, said committee.

Mr. Newell, from the select committee, to whom was referred with instructions

No. 22, C. file, An act subjecting real and personal estate to execution;

Reported the same back to the House with the following amendments, to wit:

Strike out the following proviso to the 28th section: "Provided, that no execution already issued, shall be effected by this repeal;"

Also, the following additional section:

"Sec. –. That nothing in this act contained, shall be so construed as to effect executions which may issue upon judgments obtained prior to the passage of this act."

The question was then taken upon concurring in the amendments of the committee; and,

Upon which the yeas and nays were ordered;

Yeas 19, Nays 7.

Those who voted in the affirmative were,

Messrs. Andros,
Berry,
Blair,
Brierly,
Briggs,
Bunker,
Culbertson,
Goddard,
Hackleman,
Hepner,
Jay,
McCulloch,
Newell,
Robertson,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Barton,
Felkner,
Lewis,
McMillan,
Rogers,
Sales,
Speaker.

So the amendments of the committee were concurred in.

Mr. Hepner offered the following as an additional section;

"This act to take effect from and after the 1st of March next. And that the printers employed to print the laws of this session, print fifteen hundred copies in pamphlet form, and have the same ready for distribution by the 16th day of the present month."

Upon which the yeas and nays were ordered;

Yeas 14; Nays 12.

Those who voted in the affirmative were,

Messrs. Berry,
Brierly,
Bunker,
Culbertson,
Goddard,
Hackleman,
Hepner,
McCulloch,
Newell,
Robertson,
Swearingen,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Barton,
Blair,
Briggs,
Felkner,
Jay,
Lewis,
McMillan,
Rogers,
Sales,
Steele,
Speaker.

So the amendment was agreed to.

Mr. Wilson moved

That the same be read a third time to-morrow.

Mr. Lewis moved

To amend the motion so that the bill be read a third time on Friday next;

Which was lost.

The question then recurring upon the original motion; and,

Upon which the yeas and nays being ordered; were

Yeas 19; Nays 7.

Those who voted in the affirmative were,

Messrs. Berry,
Blair,
Brierly,
Briggs,
Bunker,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Jay,
McCulloch,
Newell,
Robertson,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Barton,
Lewis,
McMillan,
Rogers,
Sales,
Speaker.

So the motion was agreed to.

No. 39, C. file, An act concerning costs and fees;

Being returned from the Council with the amendments made by the House to the 20th section disagreed to.

Mr. McMillan moved

That the House insist upon the amendment of the House to the same;

Which was agreed to.

The House then concurred in the amendment of the Council to the amendments of the House to the last section of the same.

No. 63 C. file, An act entitled an act to amend an act for the incorporation of the town of Fort Madison;

Was read a first time.

No. 78, H. R. file, A joint resolution relative to seals for Delaware county, &c.

Being returned from the Council with amendments,

Was considered and amendments concurred in.

Mr. Walworth submitted his reasons for voting against the

Joint resolution autorizing Hughes & Williams to print the Laws of the present session;

And asked that the same be spread upon the Journal.

Objection being made thereto,

Mr. McMillan moved

That the same be spread upon the Journal; pending which,

Mr. Walworth asked and obtained leave to withdraw the same.

Mr. Newell offered the following:

Resolved, That the standing committee on roads and highways be instructed to report a bill for the purpose of locating a road from Iowa City to Council Bluffs, on the Missouri river;

Upon which the yeas and nays were ordered;

Yeas 8; Nays 18.

Those who voted in the affirmative were,

Messrs. Andros,
Felkner,
Goddard,
Lewis,
Newell,
Robertson,
Thornton,
Walworth.

Those who voted in the negative were,

Messrs. Barton,
Berry,
Blair,
Brierly,
Brigg
Bunker,
Culbertson,
Hackleman,
Hepner,
Jay,
McCulloch,
McMillan,
Rogers,
Sales,
Steele,
Swearingen,
Wilson,
Speaker.

So the resolution was lost.

On motion of Mr. Bunker,

The House adjourned.

SATURDAY MORNING, FEBRUARY 4, 1843.

The House met pursuant to adjournment.

Mr. Wilson gave notice that he would on some future day, ask leave to introduce a bill authorizing the owners of mill dams on Skunk river, to construct slopes in said dams.

Mr. Felkner presented the petition of sundry citizens of Iowa Territory, asking the location of a certain Territorial road; which,

On motion of Mr. Felkner,

Was referred to the delegation from Johnson, Muscatine, and Cedar, Linn and Jones.

Mr. Felkner gave notice that he would on some future day ask leave to introduce

A bill to locate a Territorial road from Iowa City to the Des Moines river;

Also,

A bill to donate a certain out lot in Iowa City, to the citizens of the same.

Mr. Walworth offered the following:

Resolved, That the committee on revision be instructed to report a joint resolution, providing for the apportionment of the laws and journals of the present session of this Legislature, to the several counties of this Territory, and provide for the distribution of the same.

Which was agreed to.

Mr. Hepner, from the select committee, to whom was referred

No. 42, C. file, An act to provide for the election of Justices of the Peace, to proscribe their powers and duties, and to regulate their proceedings;

Reported the same back to the House with the following amendments, which were considered separately, to wit:

1st. Strike out in the 30th section, 3d line, from the word "or" to the word "resides" inclusive.

2d. Strike out the words "that at which" in the 13th and 14th lines of the 12th section.

3d. Strike out "Supreme" and insert "District" in the 15th section.

The question was then taken upon concurring in the 1st amendment of the committee;

Upon which the yeas and nays were ordered;

Yeas 12, Nays 13.

Those who voted in the affirmative were,

Messrs. Andros,
Berry,
Blair,
Brierly,
Briggs,
Hackleman,
Hepner,
McCulloch,
Newell,
Swearingen,
Thornton,
Wilson.

Those who voted in the negative were,

Messrs. Barton,
Bunker,
Felkner,
Goddard,
Jay,
Lewis,
McMillan,
Robertson,
Rogers,
Sales,
Steele,
Walworth,
Speaker.

So the amendment of the committee was disagreed to.

The question was then taken upon the remaining amendments of the committee; and agreed to.

Mr. McMillan asked and obtained leave of absence for Mr. Culbertson, for one week.

Mr. Andros moved

To amend the 30th section, by inserting after the word "township" in the last line of the same, the words "or precinct;"

Which was agreed to; when,

On motion of Mr. Barton,
The 42d rule was supended and the same read a second and third time;
Passed and title agreed to.

Mr. Bunker, from the committee to whom was referred the petition of sundry citizens of Henry and Washington counties, in relation hereto, reported,
No. 93, H. R. file, A bill regulating ferries across English river;
Which was read a first time; and,
On motion of Mr. Bunker,
The 42d rule was suspended; and,
The same was read a second and third time, passed and title agreed to.

Mr. Walworth, on previous notice and leave granted, introduced,
No. 94, H. R. file, A bill to encourage the destruction of wolves;
Also,
No. 95, H. R. file, A bill to authorize Wm. Dillon and John Dillon to keep a ferry across the Cedar river, in Cedar county;
Which were severally read a first time.

Mr. Lewis, from the committee on enrolled bills, reported that they had examined,
An act granting further time to Henry Harding, to file the plat of a certain Territorial road in the office of the Secretary.
And find the same to be correctly enrolled.

Mr. Lewis, from the committee to whom was referred,
No. 41, H. R. file, An act to legalize the acts of Cyrus Gibson, a Justice of the Peace, in and for Van Buren county;
Reported a substitute therefor; which,
On motion of Mr. Rogers,
Was laid on the table.

Mr. Regers, from the select committee to whom was referred the petitions presented, upon the subject of divorces, have had the same under consideration, and unanimously directed me to report the following bill,
No. 96, H. R. file, A bill to divorce certain persons therein named;
Which was read a first time.

Mr. Lewis moved to suspend the 42d rule;
So that the bill be read a second and third time now;
Which was put and lost.

Mr. Lewis then moved to suspend the 42d rule; and,
That the same be read a second time now;
Which was agreed to.

Mr. Jay moved

That the House resolve itself into committee of the whole, for the considertion of the same;

Which was put and lost.

Mr. Jay moved to strike out the 1st scetion of the bill.

Mr. Wilson moved to amend the amendment so that all after the enacting clause be stricken out;

Pending which,

Mr. Sales moved a call of the House, which was had, and absent members sent for.

Mr. Newell moved that the further call of the House be dispensed with;

Which was agreed to.

Mr. Walworth moved a call of the House; which was had.

Mr. Berry moved that the House adjourn; which was put and lost.

Mr. Newell asked leave of absence for Messrs. Hepner and Andros.

The chair decided the same to be out of order.

Mr. Newell appealed from the decision of the chair.

The chair decided the appeal to be out of order.

The Sergeant at Arms appeared and reported he could not find the abesent members.

Mr. Barton moved to dispense with the further call of the House;

Which was agreed to.

Mr. Walworth moved a call of the House;

Pending which,

Mr. Goddard moved to adjourn;

Which was lost.

The call of the House was had, and absent members sent for.

Mr. Sales moved to adjourn;

Which was lost; when,

The Sergeant at Arms appeared and again reported, he could not find the absent members.

Mr. Felkner moved to dispense with the further call of the House;

Which was agreed to.

Mr. Felkner asked leave of absence for Messrs. Hepner and Andros;

Which was not granted.

Mr. Jay moved to adjourn;

Which was lost.

The question then recurring upon the amendment to the original motion, which was to strike out all after the enacting clause;

Upon which the yeas and nays were ordered;
Yeas 6, Nays 16.

Those who voted in the affirmative were,
Messrs. Blair,
Robertson,
Sales,
Walworth,
Wilson,
Speaker.

Those who voted in the negative were,
Messrs. Barton,
Berry,
Brierly,
Briggs,
Felkner,
Goddard,
Hackleman,
Jay,
Lewis,
McMillan,
McCulloch,
Newell,
Rogers,
Steele,
Swearingen,
Thornton,

So the motion to strike out was lost.

Mr. Wilson moved to indefinitely postpone the the consideration of the bill;

Upon which the yeas and nays were ordered;
Yeas 8; Nays 14.

Those who voted in the affirmative were,
Messrs. Berry,
Blair,
McMillan,
Robertson,
Sales,
Walworth,
Wilson,
Speaker.

Those who voted in the negative were,
Messrs. Barton,
Brierly,
Briggs,
Felkner,
Goddard,
Hackleman,
Jay,
Lewis,
McCulloch,
Newell,
Rogers,
Steele,
Swearingen,
Thornton,

So the motion was lost.

Mr. Wilson then moved

To refer the same to a select committee consisting of one from each electoral district;

Which was put and lost.

The question then recurring upon the original motion, which was to strike out the 1st section of the bill;

Upon which the yeas and nays were ordered;
Yeas 7, Nays 15.

Those who voted in the affirmative were,
Messrs. Berry,
Blair,
Jay,
McMillan,
Robertson,
Walworth,
Wilson.

Those who voted in the nagative were,
Messrs. Barton,
Hackleman,
Sales,

Brierly,
Briggs,
Felkner,
Goddard,
Lewis,
McCulloch,
Newell,
Rogers,
Steele,
Swearingen,
Thornton,
Speaker.

So the motion was lost.

Mr. Wilson moved to lay the bill on the table until the 1st of August next;

Upon which the yeas and nays were ordered;

Yeas 8, Nays 14.

Those who voted in the affirmative were,

Messrs. Blair,
Jay,
McMillan,
Robertson,
Sales,
Walworth,
Wilson,
Speaker.

Those who voted in the negative were,

Messrs. Barton,
Berry,
Brierly,
Briggs,
Felkner,
Goddard,
Hackleman,
Lewis,
McCulloch,
Newell,
Rogers,
Steele,
Swearingen,
Thornton.

So the motion was lost.

Mr. Newell moved to suspend the 42d rule; and,

That the bill be read a second and third time now;

Upon which the yeas and nays were ordered;

Yeas 13; Nays 9.

Those who voted in the affirmative were,

Messrs. Barton,
Brierly,
Briggs,
Felkner,
Goddard,
Hackleman,
Lewis,
McCulloch,
Newell,
Rogers,
Steele,
Swearingen,
Thornton.

Those who voted in the negative were,

Messrs. Berry,
Blair,
Jay,
McMillan,
Robertson,
Sales,
Walworth,
Wilson,
Speaker.

So the motion to suspend was lost.

Mr. Hackleman moved that the bill be engrossed and read a third time on Monday;

Upon which the yeas and nays were ordered;

Yeas 13, Nays 9.

Those who voted in the affirmative were,

Messrs. Barton,
Brierly,
Briggs,
Felkner,
Goddard,
Hackleman,
Lewis,
McCulloch,
Newell,

Rogers,
Steele,
Swearingen,
Thornton.

Those who voted in the negative were,

Messrs. Berry,
Blair,
Jay,
McMillan,
Robertson,
Sales,
Walworth,
Wilson,
Speaker.

So the motion was agreed to; when,

On motion of Mr. Lewis,

The House adjourned.

TWO O'CLOCK, P. M.

Mr. Newell, from the select committee, to whom was referred, No. 76, H. R. file, A bill to incorporate the Muscatine Lyceum; Reported the same back to the House without amendment, and recommended its passage.

Mr. Bunker, from the select committee, to whom was referred the petition of sundry citizens of Washington and Henry counties, reported No. 97, H. R. file, An act to locate a Territorial road in Henry and Washington counties, &c.;

Which was read a first time.

No. 89, H. R. file, A joint resolution relative to the printing of the reports of the Supreme Court;

Was read a second time; and,

On motion of Mr. Robertson,

The same was ordered to be engrossed and read a third time on Monday.

No. 90, H. R. file, A bill for the relief of petit jurors, in certain cases;

Was read a second time; and,

On motion of Mr. McCulloch,

The "county of Lee" was inserted in the provisions of the same;

When,

On motion of Mr. Hackleman,

The same was ordered to be engrossed and read a third time on Monday.

No. 91, H. R. file, An act to amend an act incorporating the town of Salem, in Henry county;

Was read a second time; and,

On motion of Mr. Walworth,

The 42d rule was suspended; and,

The same read a third time, passed and title agreed to.

No. 92, H. R. file, A bill to authorize the County Commissioners of Scott and Lee counties, to grant licenses to Pilots, &c.;

Was read a second time; and,

On motion of Mr. Brierly,

The same was ordered to be engrossed and read a third time on Monday.

No. 63, C. file, An act to amend an act for the incoporation of the town of Ft. Madison;

Was read a second time; and,

On motion of M. McCulloch,

Ordered to be read a third time on Monday.

No. 59, C. file, A joint resolution authorizing pay to John B. Russell, for printing the Journal of the Council, for 1841 and '42;

Was read a third time, passed and title agreed to.

No. 68, H. R. file, A bill to incorporate the Farmers' Half Breed Land Company in the county of Lee;

Was read a third time, passed and title agreed to.

No. 72, H. R. file, A bill to relocate the county seat of Clayton county;

Was read a third time, passed and title agreed to.

No. 22, C. file, A bill subjecting real and personal estate to execution;

Was read a third time.

Mr. Jay moved to amend the last section of the same, by adding the following:

"Provided, That the provisions of this act expire, after twelve months from the passage of the same, unless revivedby future legislative action;"

Which was put and lost.

The question then recurred upon the passage of the bill;

Pending which,

On motion of Mr. Bunker,

A call of the House was had; when,

On motion of Mr. Newell,

The further call of the House was dispensed with.

Mr. Jay moved to recommit the bill to a select committee;

Which was lost.

The question was then put upon the passage of the bill;

Upon which the yeas and nays were ordered;

Yeas 16; Nays 6.

Those who voted in the affirmative were,

Messrs. Berry,	Briggs,	Felkner,
Brierly,	Bunker,	Goddard,

Messrs. Hackleman,
McCulloch,
Newell,
Robertson,
Rogers,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,
Messrs. Barton,
Jay,
Lewis,
McMillan,
Sales,
Speaker.

So the bill passed and title was agreed to.

No. 52, H. R. file, A bill to prevent damage by the firing of prairies;

With amendments by the committee, to whom the same was referred, was considered and amendments concurred in; when,

On motion of Mr. Rogers,

The 42nd rule was suspended; and,

The same was read a second and third time, passed and title agreed to.

Mr. McCulloch moved to take from the table,

No. 52, C. file, An act to vacate certain streets in the town of Denmark, Lee county;

Which was agreed to; and,

The bill read a second time; when,

On motion of Mr. McCulloch,

The 42d rule was suspended; and,

The bill read a third time, passed and title agreed to.

Mr. Brierly moved to take up

No. 36, H. R. file, A bill to authorize Isaac R. Campbell and Company to construct a dam across the Des Moines river;

Which was agreed to.

Mr. Brierly moved to amend the 1st section of said bill by adding the following:

"Provided the said Isaac R. Campbell & Company, shall, before they proceed to construct said dam, erect a good and sufficient lock for the purpose of letting boats of all kinds through said dam safe without delay; also, in the same section, last line but one, strike out the words "and lock;"

Which amendments were agreed to; when,

On motion of Mr. McCulloch,

The 42d ruld was suspended; and,

The bill read a third time, passed and title agreed to.

On motion of Mr. Jay,

No. 83, H. R. file, A bill authorizing the election of an additional justice and constable in centre township, Henry county;

Was taken from the table, and read a second time.

On motion of Mr. Jay,

The 42d rule was suspended; and,

The bill read a third time, passed and title agreed.

Mr. Felkner introduced,

No. 98, H. R. file, Joint resolution authorizing the Territorial Treasurer to disburse the money accruing to the Territory under the act of Congress, 4th of September, 1841;

Which was read a first time.

Mr. Walworth submitted the following as embracing his reasons for voting against the Joint resolution authorizing Hughes and Williams to print the laws of the present session.

Because I deem the charge of bribery upon members of this Legislature, made in the columns of the Iowa Capitol Reporter, of January 21st, edited by Hughes & Williams, as a breach of the privilege of this House, and as it appears by an investigation had for the purpose of enquiring into the truth of such charge, by the testimony of the editors themselves, as well as that of the members of both branches of this Legislature, that they had no reason for making such charge;

And whereas, it is believed by me that the charge was made with the view in part of exerting an undue influence upon members of this body, in their legislative action;

And whereas, I view all attempts to corrupt free and unrestrained legislation, as dangerous to a Republican Government, and the best interests of a free people.

I therefore, I deem the editors of said paper, as unworthy of the patronage of this Legislature. To extend patronage to a press under such circumstances, would in my opinion, be regarded as an implied license to them and to other presses, to practice like offences. For these reasons, I have recorded my vote against said resolution, and ask that they be spread upon the Journal of the House.

On motion of Mr. McMillan,

The House adjourned.

MONDAY MORNING, FEBRUARY 6, 1843.

The House met pursuant to adjournment.

The following message was received from the Council by Mr. Fales, their Secretary:

Mr. Speaker—The Council have disagreed to the amendments made by the House to the 4th, 18th and last sections of

No. 22, C. file, An act subjecting real and personal estate to execution.

And have concurred in all the other amendments.

The Council adhere to their disagreement to the amendment of the House to the 20th section of

No. 39, C. file, An act concerning costs and fees;

The Council have passed with amendments

No. 25, H. R. file, An act organizing a board of County Commissioners in each county in the Territory of Iowa.

No. 46, H. R. file, An act for the prevention of certain immoral practices.

The Council have also passed

No. 40, C. file, An act regulating ferries.

No. 58, C. file, An act to authorize Ezra F. Denson and Newton P. Denson to keep a ferry.

In which, the concurrence of the House is requested.

I herewith present for your signature

An act to relocate the Territorial road leading from Burlington, in Des Moines county, via. Fort Madison in Lee county, to the bridge on Sugar creek in said county;

An act to regulate weights and measures.

An act to authorize the Judge of probate of Van Buren county, to employ a suitable person to transcribe the probate records of said county.

I also return

A joint resolution fixing the compensation to Wilson and Keesecker for printing the Journal of the House of Representatives for 1841 and '42.

An act to incorporate the Iowa Medical Society.

An act for the relief of Laurel Summers;

All of which have been signed by the President of the Council.

Mr. Swearingen presented the petition of sundry citizens of Van Buren county, asking the alteration of a certain Territorial road; which,

On motion of Mr. Swearingen,

Was referred to the delegation from Van Buren county.

Mr. Bunker presented the petition of Edward Earl asking to be divorced from his wife Ruth Ann Earl; which,

On motion of Mr. Rogers,

Was laid on the table.

Mr. Briggs on leave granted introduced

No. 99, H. R. file, A joint resolution authorizing the Secretary of the Territory to pay to certain publishers of newspapers, a certain sum for services therein named;

Which was read a first time.

Mr. Barton, from the committee on engrossed bills, have examined

No. 92 H. R. file, A bill to authorize the county commissioners of Scott and Lee counties to grant licences to pilots, &c.
No. 96, H. R. file, A bill to divorce certain persons therein named;
No. 90 H. R. file, A bill for the relief of petit jurors in certain cases;
And,
No. 89, H. R. Joint resolution relative to the printing of the decisions of the Supreme Court;

And find the same to be correctly engrossed.

Mr. Rogers, from the committee on the Judiciary, to whom was referred,

No. 16, C. file, An act regulating interest on money;

Reports the same back to the House with sundry amendments, and begs leave to submit the following:

The committee are of the opinion, from the partial examination they have given the subject, that all laws regulating the percentage on money, with the exception of fixing a uniform rate where none is stated by the contract, are inexpedient—injurious alike to the borrower and the lender. Such they believe would be the general sentiment of mankind, if this question could be considered free from religious prejudices and the influence of long established custom.

Money, like every other exchangable commodity, is subject to frequent fluctuation in value, being no more uniform in price, than cotton, tobacco, and other great staples of the country. Its worth depends on the state of the market, and is regulated by the great law of demand and supply. There is no more reason for arbitrarily establishing the rate for the use of money, than for the use of houses, lands, merchandize, and other property.

It has been deemed sound policy, and essential to individual prosperity, to allow every person to hire his farm, house, or chattels, upon such terms as he could obtain. Why deny the same privilege in the disposal of money? Individuals are presumed to understand their own business better than Legislatures. It will be soon enough for these grave bodies to interfere with private rights, and assume the control of the personal matters of others, when the people shall have proven themselves incompetent to manage their own affairs.

Usury laws are rarely enforced and easily evaded. Their penalties do little more than furnish arguments for the lender to charge for the hazard he runs, which the borrower has to pay. When the market value of money is higher than the legal rate, they prevent competition, the great reducer of price. Upright men, who would not violate the law, but are unwilling to loan their money for less than its real worth, cease to be lenders, leaving the needy borrower at the mercy of grinding brokers and swindlers, who monopolize the market.

Usury laws have a highly prejudicial influence upon the morals of the community. They hold out temptations for the wanton disregard of solemn engagements. The borrower who first suggested the offence, without whose agency it could not have been perpetrated, not only escapes "unwhipped of justice," but is paid for his infamy, and all the sympathetic feelings of our nature are invoked in behalf of the unfortunate victim of his own voluntary promises.

The conclusions of the committee are adverse to any restrictions upon the loaning of money, but fearing that public sentiment may not be ripe for so sudden a change in our laws, have so amended the bill as to allow parties to contract for as high a rate of interest as twenty per cent. per annum, and the borrower to recover the excess beyond that amount.

In a new country of vast undeveloped resources, it is the dictate of wisdom to offer inducements for men of wealth to send their money among us; and a less rate of interest than that recommended, in the opinion of the committee, would not have the desired effect of diverting the capital of the east to the far west.

Mr. Briggs, from the select committee to whom was referred

The petition of the Board of County Commissioners of Jackson county, asking that a law might be passed authorizing said Board to levy an additional tax;

Have had the same under consideration, and come to the conclusion that it would be inexpedient to pass such a law at this session, for the following reasons:

1st. That it is a matter which the whole people of the county are immediately interested, and the committee are of opinion that there should be an expression directly from them, before the Legislature should act upon a subject of so much importance to its citizens.

2d. That there has been a law passed by this Legislature relative to a new valuation of taxable property, which in the opinion of the committee, will increase the revenue of the county one fourth, if not one half; which, will not only defray the annual expenses, but will pay a part of the old debt every year, and will eventually redeem the whole of its liabilities, and that too, as fast as the people are able to meet them.

3d. That the law passed by the present Legislature, relative to a new valuation, will go into operation the present year, and will enable the Commissioners to ascertain whether it will increase the revenue so as to meet the wants of the county, and if it is found that it will not be sufficient, then the people can have an opportunity of making their wishes known to the next Legislature, in a matter in which they are so directly concerned, and perhaps by that time there may be a change in the times, which would enable them better to meet a heavy tax.

Your committee therefore, ask to be discharged from the further consideration of the subject.

Mr. Hackleman moved

To take from the table,

No. 96, H. R. file, A bill granting divorces to certain persons, therein named;

And that the same be read third time now;

Which was agreed to.

Mr. Wilson moved

To refer the same to a select committee;

Which was lost.

Mr. McMillan moved

To amend the — section by inserting after the word "Joseph" in the — line the word "Newell;"

Which was agreed to.

Mr. Bunker moved

To further amend the bill by adding the following additional section:

Sec. –. That the bonds of matrimony existing between Edward Earl and Ruth Ann Earl of Washington county, be and the same are hereby dissolved;

Which was agreed to.

The question then recurring upon the passage of the bill; and,

Upon which the yeas and nays were ordered;

Yeas 13, Nays 10.

Those who voted in the affirmative were,

Messrs. Barton,
Brierly,
Briggs,
Felkner,
Goddard,
Hackleman,
Lewis,
McCulloch,
Newell,
Rogers,
Steele,
Swearingen,
Thornton.

Those who voted in the negative were,

Messrs. Berry,
Blair,
Bunker,
Jay,
McMillan,
Robertson,
Sales,
Walworth,
Wilson,
Speaker.

So the bill passed and the title was agreed to.

No. 94, H. R. file, A bill to encourage the destruction of wolves;

Was read a second time.

Mr. Goddard moved

To amend the first section by striking out the word "fifty" in the

5th line, and inserting "twenty-five;" also, strike out "one dollar" in the 10th line, and insert "fifty cents;"

Which was agreed to.

Mr. Hackleman moved

To amend the same by making it discretionary with the county commissioners;

Which was lost.

Mr. Walworth moved

That the same be engrossed and read a third time to-morrow.

Upon which the yeas and nays were ordered;

Yeas 14, Nays 11.

Those who voted in the affirmative were,

Messrs. Andros,
Berry,
Briggs,
Bunker,
Felkner,
Jay,
McCulloch,
McMillan,
Rogers,
Robertson,
Steele,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Barton,
Blair,
Brierly,
Goddard,
Hackleman,
Hepner,
Lewis,
Newell,
Sales,
Swearingen,
Speaker.

So the motion to engross was agreed to.

The following message was received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have appointed Messrs. Leffler, Teas and Christie a committee of conference relative to the disagreeing votes between the two Houses, on

No. 22, C. file, An act subjecting real and personal estate to execution;

And,

No. 39 C. file, An act concerning costs and fees.

Mr. Newell moved

That there be a committee of conference appointed on the part of the House to confer with the same;

Which was agreed to.

The Chair appointed Messrs. Newell, Hepner, and Felkner, said committee.

No. 95, H. R. file, A bill to authorize Wm. Dillon and John Dillon to keep a ferry across the Cedar river, in Cedar county;

Was read a second time.

Mr. Felkner moved

That the House resolve itself into the committee of the whole, for the consideration of the same now;

Which was lost.

Mr. Rogers moved

To amend by inserting the following additional section:

Sec. 3. That any future Legislature shall have power to alter, amend, or repeal this act."

Which was agreed to; when,

On motion of Mr. Walworth,

The same was ordered to lie on the table.

No. 89, H. R. file, A joint resolution relative to the printing of the reports of the Supreme Court;

Was read a third time; and,

On motion of Mr. Walworth,

Referred to a select committee.

The Chair appointed Messrs. Walworth, McMillan and Rogers, said committee.

No. 97, H. R. file, An act to locate a Territorial road in Henry and Washington counties, &c.;

Was read a second time; and,

On motion of Mr. Bunker,

The same was laid on the table.

No. 98 H. R. file, Joint resolution authorizing the Territorial Treasurer to disburse the money accruing under the act of Congress of 4th September, 1841;

Was read a second time; and,

On motion of Mr. Rogers,

Laid on the table.

Mr. Newell offered the following,

Resolved, That the Secretary of the Territory be and is hereby authorized to allow and pay to the Hon. James M. Morgan six dollars per day for his services as Speaker of the House of Representative of the present Legislative Ascembly;

Which was adopted.

No. 90, H. R. file, A bill for the relief of petit jurors, in certain cases;

Was read a third time and passed and title agreed to.

No. 92, H. R. file, A bill to authorize the County Commissioners of Scott and Lee counties, to grant licenses to Pilots, &c.;

Was read a third time; and,

On motion of Mr. Lewis,

The same was referred to a select committee.

The Chair appointed Messrs. Lewis, Brierly and Rogers, said committee.

On motion of Mr. Sales,

The House adjourned.

TWO O'CLOCK, P. M.

No. 25, H. R. file, An act organizing a Board of County Commissioners in each county in the Territory of Iowa;

With amendments, was reported from the Council; and the amendments considered separately and agreed to; when,

On motion of Mr. McMillan,

The vote had upon the second amendment, was reconsidered, and the same disagreed to.

No. 46, H. R. file, A bill for the prevention of certain immoral practices;

Being reported from the Council with amendments, was considered and amendments concurred in.

No. 40 C. file, An act regulating ferries;

And,

No. 58, C. file, An act to authorize Ezra F. Denson and Newton P. Denson, to keep a ferry across the Mississippi river;

Were severally read a first time.

Mr. Walworth, from the committee to whom was referred

No. 26, C. file, An act to amend an act to incorporate the Washington Manufacturing Company;

Reported the same back to the House with two additional sections;

Which was agreed to; when,

On motion of Mr. Walworth,

The same was ordered to be read a third time to-morrow.

Mr. Hackelman presented the petition of sundry citizens of Des Moines county, asking the relocation of a part of a Territorial road;

Also,

The remonstrance of sundry citizens of Des Moines county, remonstrating against the same; which,

On motion of Mr. Hackleman,

Were referred to the committee on roads and highways.

Mr. Walworth presented the petition of sundry citizens of Cedar county, asking that a law be passed to prevent the destruction of game, during certain periods of the year; which,

On motion of Mr. Rogers,

Was referred to the committee on corporations.

Mr. Rogers moved to take from the table,

No. 15, C. file, An act defining the duties of County Surveyors;

Which was agreed to; when,

On motion of Mr. Rogers,

The 42d rule was suspended; and,

The same read a third time, passed and title agreed to.

No. 55, C. file, Joint resolution for the relief of George Andrwes;
And the report of the committee to whom the same was referred,
Was taken from the table; and,
On motion of Mr. Rogers,
The consideration of the same was indefinitely postponed.

The report of the committee on the judiciary, to whom was referred,
No. 16, C. file, An act regulating interest on money;
Was taken up, and on the question,
Will the House agree to the first amendment, viz.?
Strike out the word "ten" in the third line of the second section, and insert "twenty."
The yeas and nays were ordered;
Yeas 13; Nays 10.

Those who voted in the affirmative were,
Messrs. Andros,
Barton,
Brierly,
Felkner,
Hackleman,
Hepner,
Jay,
McCulloch,
McMillan,
Rogers,
Sales,
Walworth,
Speaker.

Those who voted in the negative were,
Messrs. Berry,
Blair,
Goddard,
Lewis,
Newell,
Robertson,
Steele,
Swearingen,
Thornton,
Wilson.

So the amendment was agreed to.

All the other amendments to said bill were then read and concurred in, viz:
Add to the third section, "at the rate of six per cent per annum."
Strike out the fourth section.
Strike out the 7th and 8th sections.

Mr. Felkner, with leave, introduced,
No. 100, H. R. file, An act donating out-lot No. 10, in Iowa City, to the citizens thereof;
Which was read a first time.

Mr. Walworth, from the committee on engrossed bills, reported that they had examined,
No. 65, H. R. file, A bill to define the duties of Territorial Agent and for other purposes;
And find the same to be correctly engrossed.
No. 65, H. R. file, A bill to define the duties of Territorial Agent;
Was read a third time, passed and title agreed to.

Mr. Lewis, from the committee on enrolled bills, reported that

they had presented to the Governor for for his approval, on this day,
An act for the relief of Laurel Summers.
Joint resolution fixing the compensation to Wilson & Keesecker for printing the Journals of the H. R. for 1841 and '42.
An act to incorporate the Iowa Medical Society.

On motion of Mr. Berry,
The House adjourned.

TUESDAY MORNING, FEBRUARY 7, 1843.

The House met pursuant to adjournment.

Mr. Walworth presented the petition of sundry citizens of Linn county, remonstrating against the relocation of the Territorial road leading from Davenport to Marion; which,
On motion of Mr. Walworth,
Was referred to the delegation from Cedar, Linn and Jones.

Mr. Jay presented the petition of sundry citizens of Henry county, asking that a law be passed making personal property bring two thirds of its appraised value, when sold under execution; which,
On motion of Mr. Jay,
Was ordered to lie on the table.

Mr. Hepner presented the petition of sundry citizens, asking the repeal of a certain act relating to marriage licences.

Mr. Hepner moved
To refer the same to a select committee, with instructions to report a bill in conformity to the prayer of the petitioners, or to so amend the law that it will have a uniform operation.

Mr. Barton moved
To amend the motion so that the committee be instructed to report a bill or so amend the law as to dispense with the necessity of a license; pending which,
Mr. Newell moved
To lay the whole subject on the table;
Upon which the yeas and nays were ordered;
Yeas 11; Nays 13.

Those who voted in the affirmative were,

Messrs. Andros,
Berry,
Blair,
Briggs,
Felkner,
Jay,
Newell,
Robertson,
Steele,
Thornton,
Wilson.

Those who voted in the negative were,
Messrs. Barton,
Brierly,
Goddard,
Hackleman,
Hepner,
Lewis,
McCulloch,
McMillan,
Rogers,
Sales,
Swearingen,
Walworth,
Speaker.

So the motion was lost.

The question was then taken upon the amendment to the original motion;

And agreed to.

The question then recurring upon the original motion; and,

Upon which the yeas and nays were ordered;

Yeas 13; Nays 11.

Those who voted in the affirmative were,
Messrs. Barton,
Blair,
Brierly,
Goddard,
Hackleman,
Hepner,
Lewis,
McCulloch,
McMillan,
Rogers,
Sales,
Swearingen,
Speaker.

Those who voted in the negative were,
Messrs. Andros,
Berry,
Briggs,
Felkner,
Jay,
Robertson,
Steele,
Thornton,
Walworth,
Wilson.

So the petition was so referred.

The Chair appointed Messrs. Hepner, Barton and Robertson, said committee.

The following message was then received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council insist on their amendment to the 11th section of

No. 25, H. R. file, An act organizing a Board of County Commissioners in each county;

And have passed

No. 83, H. R. file, An act authorizing the election of an additional justice of the peace and constable in Centre township, Henry county.

Mr. Wilson asked and obtained leave of absence for Mr. Bunker.

Mr. Andros gave notice that he would on some future day, ask leave to introduce a joint resolution authorizing the Secretary of the Territory to pay Wilson and Keesecker, the further sum of one hundred dollars, for printing the Journal of the House of Representatives of the last session.

Mr. Sales, gave notice that he would on some future day, ask leave to introduce a bill for the relief of the securities of public officers in certain cases.

Mr. Andros from the committee to whom was referred the petition of sundry citizens of Dubuque, in relation hereto, reported

No. 101, H. R. file, A bill to authorize Thomas McCrany and Jas. Churchman to keep a ferry across the Mississippi river at Dubuque;

Which was read a first time.

Mr. Wilson, on previous notice and leave granted, introduced

No. 102, H. R. file, A bill authorizing the construction of slopes in mill dams in Skunk river;

Which was read a first time.

Mr. Walworth from the committee to whom was referred

No. 89, H. R. file, A joint resolution relative to the printing of the reports of the Supreme Court;

Reported the same back to the House with an amendment.

Mr. Berry, from the committee to whom was referred the petition of sundry citizens of Linn county, in relation hereto, reported

No. 103, H. R. file, A bill to relocate a part of the Territorial road from Davenport to Marion;

Which was read a first time.

Mr. Swearingen, from the committee to whom was referred the petition of sundry citizens of Van Buren county, in relation hereto, reported

No. 104, H. R. file, A bill to relocate a part of the Territorial road leading from Ft. Madison to Iowaville;

Which was read a first time.

Mr. Lewis from the committee on enrolled bills, have examined

An act to abolish imprisonment for debt.

An act granting further time to Henry Harden to file a plat of a certain Territorial road in the office of the Secretary.

And,

A memorial to Congress for an appropriation for a canal at each of the rapids of the Mississippi;

And find the same to be correctly enrolled.

Mr. Lewis, from the committee to whom was referred the petition of sundry citizens of Van Buren county, in relation hereto, reported

No. 105, H. R. file, A bill to establish a Territorial road from Birmingham, in Van Buren county, to the Indian Agency;

Which was read a first time.

Mr. McCulloch, from the committee on roads and Highways, to whom was referred the petition of sundry citizens in relation hereto, reported

No. 106, H. R. file, A bill to locate a certain Territorial road from Cascade, in Dubuque county, to O. A. Olmstead's mills, in Delaware county;

Which was read a first time.

Mr. Rogers moved

To suspend the 42d rule, so that the bill be read a 2d and 3d time now; which was lost.

Mr. Felkner, on previous notice and leave granted, introduced

No. 107, H. R. file, A bill to locate a Territorial road from Iowa City to the Des Moines river;

Which was read a first time.

Mr. Robertson, on previous notice and leave granted, introduced

No. 108, H. R. file, A bill for the organization of County Medical Societies, and to regulate the practice of physic and surgery;

Which was read a first time.

Mr. Newell, from the committee of conference, appointed on the part of the House, to act in conjunction with a similar committee on the part of the Council, in relation to a disagreeing vote of the two Houses, on

No. 22, C. file, An act subjecting real and personal estate to execution;

Reported that the committee have agreed that the House recede from their amendments to the 4th and 18th sections, and that the act shall take effect from and after the 20th day of February, 1843.

They have also agreed to adopt a substitute for the 20th section of

No. 39, C. file, An act concerning costs and fees;

Which they herewith submit.

Mr. Rogers, from the committee on the Judiciary, to whom was referred,

No. 14, C. file, An act to provide for changing the venue in civil and criminal cases;

Reported the same back to the House with one amendment.

Mr. Andros presented the claim of George S. Hampton.

On motion of Mr. Andros,

The same was referred to the committee on claims.

No. 99, H. R. file, Joint resolution authorizing the Secretary of the Territory to pay certain publishers of newspapers a certain sum for services therein named;

Was read a second time; and,

On motion of Mr. McMillan,

The same was referred to the committee on expenditures.

No. 100, H. R. file, An act donating out lot No. 10, in Iowa City, to the citizens thereof;

Was read a second time; and,

On motion of McMillan,

The same was referred to the committee on Territorial Affairs.

No. 40, C. file, An act regulating ferries.

Was read a second time; when,

On motion of Mr. Barton,

The House resolved itself into the committee of the whole, for the consideration of the same, Mr. Newell in the Chair; and,

After some time spent therein, the committee rose, and, by their chairman, reported the same back to the House with amendments;

Which were concurred in; when,

On motion of Mr. Rogers,

The 42d rule was suspended; and,

The same was read a second and third time, passed and title agreed to.

On motion of Mr. Wilson,

The House adjourned.

TWO O'CLOCK, P. M.

No. 58, C. file, An act to authorize Ezra F. Denson and Newton P. Denson to keep a ferry;

Was read a second time; and,

On motion of Mr. Newell,

The same was ordered to lie on the table.

The following message was received from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—The Council have passed,

No. 71, C. file, A bill amendatory of an act authorizing Robert M. G. Patterson to keep a ferry.

No. 74, H. R. file, An act to amend an act entitled an act to incorporate the City of Keosauqua.

No. 85, H. R. file, An act to locate a Territorial road from the northern limits of Missouri to Keosauqua, in Van Buren county.

No. 87, H. R. file, An act to incorporate the Jackson County Academy.

No. 91, H. R. file, An act to amend an act incorporating the town of Salem, in Henry county.

No. 93, H. R. file, An act regulating ferries across English river.

Also with amendments,

No. 86, H. R. file, An act to provide for holding elections at Saint Peters and other places.

I herewith present for your signature

An act to provide for the election of Justices of the Peace, to prescribe their powers and duties, and to regulate their proceedings.

A joint resolution authorizing pay to John B. Russell, for printing the Journal of the Council, for 1841 and '42.

An act to vacate certain streets in the town of Denmark, Lee county.

An act to amend an act for the incorporation of the town of Mount Pleasant.

An act to amend an act for the incorporation of the town of Fort Madison.

I herewith return

An act to abolish imprisonment for debt.

An act granting further time to Henry Harden, to file the plat of a Territorial road in the Secretary's office.

The same having been signed by the President of the Council.

No. 26, C. file, A bill to amend an act to incorporate the Washington Manufacturing company;

Was read a third time.

Mr. Lewis moved a call of the House, which was had, and absent members sent for, who appearing in their seats;

On motion of Mr. Andros,

The further call of the House was dispensed with.

The question was then taken upon the passage of the bill; and,

Upon which the yeas and nays were ordered;

Yeas 14, Nays 10.

Those who voted in the affirmative were,

Messrs. Barton,
Berry,
Brierly,
Goddard,
Jay,
Lewis,
McCulloch,
Newell,
Robertson,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Blair,
Briggs,
Felkner,
Hepner,
Hackleman,
McMillan,
Rogers,
Sales,
Speaker.

So the bill passed and the title was agreed to.

No. 94, H. R. file, An act to encourage the destruction of wolves;

Was read a third time; and,

On motion of Mr. Walworth,

The same was referred to a select committee of three.

The Chair appointed Messrs. Walworth, McMillan and Hepner, said committee.

The report of the committee of conference, in relation to the disagreeing vote upon

No. 22, C. file, An act subjecting real and personal estate to execution.

Also,

No. 39 C. file, An act concerning costs and fees;

Was considered and amendments to the first agreed to.

And upon the question,

Will the House agree to the amendments of the second?

The yeas and nays were ordered;

Yeas 19, Nays 4.

Those who voted in the affirmative were,

Messrs. Andros,
Berry,
Blair,
Brierly,
Briggs,
Felkner,
Goddard,
Hackleman,
Hepner,
Jay,
McCulloch,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Thornton,
Wilson,
Speaker.

Those who voted in the negative were,

Messrs. Barton,
Lewis,
Rogers,
Swearingen.

So the amendment to the same was agreed to.

No. 56, C, file, An act to establish new counties and define their boundaries in the late cession from the Sac and Fox Indians, and for other purposes;

Being the order of the day,

On motion of Mr. Rogers,

The consideration of the same was postponed

The report of the committee on the Judiciary, to whom was referred,

No. 14, C. file, An act to provide for changing the venue in civil and criminal cases;

Was considered and concurred in; when,

On motion of Mr. Rogers,

The 42nd rule was suspended; and,

The same was read a third time, passed and title agreed to.

No. 89, H. R. file, Joint resolution relative to the printing of the decisions of the Supreme Court;

And amendments by the committee, to whom the same was referred, was considered and amendments concurred in; when,

On motion of Mr. Rogers,

The 42d rule was suspended; and,
The same read a third time, passed and title agreed to.

No. 51, C. file, An act regulating practice in the District Courts;
Was taken from the table.
Mr. Hepner moved to refer the same to the committee on the Judiciary;
Which was lost; when,
On motion of Mr. McMillan,
The same was ordered to be read a third time to-morrow.

On motion of Mr. McMillan,
No. 18, C. file, An act for the limitation of actions and for avoiding vexatious law suits;
Was taken from the table,
And considered in committee of the whole, Mr. Brierly, in the chair; and,
After some time spent therein, the committee rose, and by their chairman, reported the same back to the House without amendment.
Which was concurred in.

Mr. Robertson moved to amend the same, by adding the following:
Sec. 10. That an act for the limitation of actions and for avoiding vexatious law suits, approved, January 25th, 1839, be and the same is hereby repealed."
Which was agreed to; when,
On motion of Mr. McMillan,
The same was ordered to be read a third time to-morrow.

Mr. McMillan moved to take from the table,
No. 25, C. file, An act relative to the time of taking effect of the laws of the present session;
Which was agreed to; when,
On motion of Mr. McMillan,
The same was ordered to be read a third time to-morrow.

No. 71 C. file, A bill amendatory to an act authorizing R. M. G. Patterson to keep a ferry, &c.;
Was read a first time.

No. 86, H. R. file, A bill to provide for holding elections at St. Peters, and other places;
With amendments, being returned from the Council, was considered and amendments concurred in.

No. 25, H. R. file, An act organizing a board of County Commissioners in each county in the Territory of Iowa;

With amendment, being returned from the Council, the Council insisting upon their amendment to the same.

Mr. McMillan moved that the House insist upon their disagreeing vote to the same;

Which was agreed to.

Mr. McMillan moved that a committee be appointed to confer with a similar committee, on the part of the Council, in relation to the same.

Which was agreed to.

The Chair appointed Messrs. McMillan, Rogers and Lewis, said committee.

On motion of Mr. Hackleman,

The House adjourned.

WEDNESDAY MORNING, FEBRUARY 8, 1843.

The House met pursuant to adjournment.

Mr. Barton on leave granted introduced

No. 109, H. R. file, Joint resolution allowing further compensation to B. F. Wallace;

Which was read a first time; when,

On motion of Mr. Rogers,

The 42d rule was supended and the same read a second and third time and passed.

Mr. Andros on leave granted, introduced

No. 110, H. R. file, Joint resolution allowing Wilson and Keesecker additional compensation for printing the Journal of the House of Representatives of last session;

Which was read a first time.

Mr. Newell on leave granted, introduced

No. 111, H. R. file, Joint resolution employing E. H. Thomas to superintend the printing of the Laws of the present session;

Which was read a first time.

Mr. Hepner, from the select committee, to whom was referred the petition of sundry citizens in relation hereto, reported

No. 112, H. R. file, A bill regulating marriages;

Which was read a first time; and,

On motion of Mr. McCulloch,

Fifty copies of the same was ordered to be printed.

Mr. Walworth, from the select committee to whom was referred
No. 94, H. R. file, An act to encourage the destruction of wolves;
Reported the same back to the House with amendment; when,
On motion of Mr. McMillan,
The 42d rule was suspended and the same read a second and third time, passed and title agreed to.

Mr. Andros, from the committee on claims, introduced
No. 113, H. R. file, Joint resolution fixing the compensation of G. S. Hampton, for services rendered this House, &c.;
Which was read a first time.

Mr. Lewis, from the committee on enrolled bills, have examined
An act regulating ferries on English river.
An act entitled an act to incorporate the city of Keosauqua.
An act to authorize the election of an additional Justice of the Peace and constable, in Center township, Henry county.
An act to provide for holding elections at St. Peters, and other places.
An act to amend an act incorporating the town of Salem, in Henry county.
And,
An act to locate a Territorial road from the Northern limits of Missouri to Keosauqua, in Van Buren county;
And find the same to be correctly enrolled.

Mr. Rogers, on previous notice and leave granted, introduced
No. 114, H. R. file, A bill to attach Delaware to Dubuque county, for judicial purposes;
Which was read a first time; when,
On motion of Mr. Rogers,
The 42d rule was suspended and the same read a second and third time, passed and title agreed to.

Mr. Sales, on previous notice and leave granted, introduced
No. 115, H. R. file, A bill for the relief of securities of public officers;
Which was read a first time.

No. 101, H. R. file, An act to authorize Thos. McCrany and James Churchman to keep a ferry across the Mississippi river at Dubuque;
Was read a second time; and,
On motion of Mr. Andros,
The same was ordered to be engrossed and read a third time to-morrow.

No. 102, H. R. file, A bill authorizing the construction of slopes and mill dams on Skunk river;
Was read a second time; and,
On motion of Mr. Wilson,

The 42d rule was suspended; and,

The same read a third time, passed and title agreed to.

No. 103, H. R. file, A bill to relocate a part of the Territorial road leading from Davenport to Marion;

Was read a second time; when,

On motion of Mr. Berry,

The same was ordered to be engrossed and read a third time to-morrow.

No. 104, H. R. file, A bill to relocate a part of the Territorial road leading from Fort Madison to Iowaville;

Was read a second time; when,

On motion of Mr. Swearingen,

The same was ordered to be engrossed and read a third time to-morrow.

No. 105, H. R. file, A bill to establish a Territorial road from Birmingham, in Van Buren county, to the Indian Agency;

Was read a second time; when,

On motion of Mr. Lewis,

The same was ordered to be engrossed and read a third time to-morrow.

No. 106, H. R. file, A bill to locate a certain Territorial road from Cascade, in Dubuque county, to O. A. Olmstead's mills, in Delaware county;

Was read a second time.

Mr. Rogers moved

To suspend the 42d rule, so that the bill be read a third time now;

Upon which the yeas and nays were ordered;

Yeas 19; Nays 5.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Brierly,
Briggs,
Felkner,
Goddard,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Rogers,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson,
Speaker.

Those who voted in the negative were,

Messrs. Berry,
Blair,
Hackleman,
Hepner,
Sales.

So the bill passed and title was agreed to.

No. 107, H. R. file, A bill to locate a Territorial road from Iowa City, to the Des Moines river;

Was read a second time; when,

Mr. Lewis moved

To amend the 1st section, so that the terminating point of said road be at "White Breast" in lieu of "Raccoon Forks;" pending which,

On motion of Mr. Felkner,

The same wes referred to a select committee of three.

The Chair appointed Messrs. Felkner, Robertson and Lewis, said committee.

No. 108, H. R. file, A bill for the organization of County Medical Societies and to regulate the practice of physic and surgery;

Was read a second time; when,

On motion of Mr. Rogers,

The House resolved itself into committee of the whole, Mr. Robertson in the chair; and,

After some time spent therein, the committee rose, and by their chairman reported the same back to the House without amendment;

Which was agreed to.

Mr. Walworth moved

To strike out the 6th section of the same;

Which was agreed to; when,

On motion of Mr. Barton,

The bill was ordered to be engrossed and read a third time to-morrow.

No. 71, C. file, An act amendatory to an act authorizing Robert M. G. Patterson to keep a ferry, &c.;

Was read a second time; when,

On motion of M. McCulloch,

The same was ordered to be read a third time to-morrow.

Mr. Newell moved to take from the table

No. 58, C. file, An act to authorize Ezra F. Denson and Newton P. Denson to keep a ferry across the Mississippi river;

Which was agreed to.

Mr. McMillan moved

To adjourn, which was lost; when,

On motion of Mr. Newell,

No. 58, C. file, (title as above) Was ordered to be read a third time to-morrow.

On motion of Mr. Wilson,

The House adjourned.

TWO O'CLOCK, P. M.

No. 18, C. file, An act for the limitation of actions and for avoiding vexatious law suits;

Was read a third time, passed and title agreed to.

No. 25, C. file, An act relative to the time of taking effect of the laws of the present session;

Was read a third time; when,

On motion of M. McMillan,

The same was referred to a select committee.

The Chair appointed Messrs. Robertson, Lewis and Hackleman, said committee.

No. 51, C. file, An act regulating the practice in the District Courts;

Was read a third time and passed and title agreed to.

No. 56, C. file, An act to establish new counties and define their boundaries, in the late cession from the Sac and Fox Indians, and for other purposes;

Being the order of the day, was taken up; and,

On motion of Mr. McMillan,

The consideration of the same was postponed.

The following message was received from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—The Council have passed,

No. 36, H. R. file, An act to authorize Isaac R. Campbell and Company to construct a dam across the Des Moines river.

Also with amendments,

No. 65, H. R. file, An act to define the duties of Territorial Agent, and for other purposes.

In which, the concurrence of the House is requested.

The Council have concurred in all the amendments made by the House, to

No. 16, C. file, An act regulating interest on money;

Except the second section, to which they have disagreed.

No. 65, H. R. file, An act to define the duties of Territorial Agent, and for other purposes;

With amendments by the Council, being returned from the same;

On motion of Mr. Felkner,

The House agree to the first amendment.

Mr. Hepner then moved

The House disagree to the second amendment which was to strike out the 10th section;

Which was agreed to.

No. 16, C. file, An act regulating interest on money;

Being returned from the Council, with the amendments made by the House disagreed to.

Mr. Newell moved

That the House recede from their amendment to the second section of the same;

Upon which the yeas and nays were ordered;

Yeas 14, Nays 10.

Those who voted in the affirmative were,

Messrs. Barton,
Berry,
Blair,
Brierly,
Briggs,
Goddard,
Lewis,
McCulloch,
Newell,
Robertson,
Steele,
Swearingen,
Thornton,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Felkner,
Hackleman,
Hepner,
Jay,
McMillan,
Rogers,
Sales,
Walworth,
Speaker.

So the motion was agreed to.

On motion of Mr. McMillan,

The House adjourned.

THURSDAY MORNING, FEBRUARY 9, 1843.

The House met pursuant to adjournment.

Mr. Felkner presented the account of Peter Conboy; which,

On motion of Mr. Felkner,

Was referred to the committee on claims.

Mr. Wilson, on leave granted, introduced,

No. 116, H. R. file, Joint resolution authorizing William Crum to print 960 copies of the valuation law;

Which was read a first time.

Mr. Wilson moved to suspend the 42d rule;

So that the same be read a second and third time now;

Which was agreed to.

Mr. Wilson moved to amend by striking out "960," and inserting "1440;"

Which was agreed to.

Mr. Sales moved to further amend, by inserting the following: "and 1440 copies of the act concerning costs and fees;"

Which was agreed to; when,

The same was read a second and third time, passed and title agreed to.

Mr. Lewis, from the committee on enrolled bills, reported that they had examined,

An act for the prevention of certain immoral practices.

An act to authorize Isaac R. Campbell and Company to construct a dam across the Des Moines river.

And find the same to be correctly enrolled.

The following message was received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have passsed,

No. 84, H. R. file, An act to authorize Robert McKee & Ovid Grinnell, to construct a dam part way across the Des Moines river.

No. 66, C. file, An act to incorporate the Iowa City College.

No. 72, C. file, An act to vacate a part of the plat of the town of Port Allen, and to legalize the relocation of a part of a Territorial road.

The Council have concurred in the report of the committee of conference, on

No. 22, C. file, An act subjecting real and personal estate to execution.

I herewith present for your signature,

An act defining the duties of County Surveyors.

Mr. Barton, from the committee on engrossed bills, have examined

No. 104, H. R. file, An act to relocate a part of the Territorial road leading from Ft. Madison to Iowaville.

No. 105, H. R. file, A bill to establish a Territorial road from Birmingham, in Van Buren county, to the Indian Agency.

No. 108, H. R. file, A bill for the organization of County Medical Societies, and to regulate the practice of physic and surgery.

And,

No. 103, H. R. file, An act to relocate a part of the Territorial road from Davenport to Marion.

And find the same to be correctly engrossed.

Mr. Robertson, on previous notice and leave granted, introduced

No. 117, H. R. file, A bill to change the time of the usual meeting of the Legislative Assembly;

Which was read a first time.

Mr. Briggs, from the committee on Territorial Affairs, to whom was referred

No. 100, H. R. file, An act donating out-lot No. 10, in Iowa City, to the citizens thereof;

Have had the same under consideration and reported the bill back to the House without amendment, and recommend its passage.

Mr. McCulloch, from the committee on roads and highways, to whom was referred the petition and remonstrance of sundry citizens of Des Moines county, in relation hereto, reported

No. 118, H. R. file, A bill to relocate a part of the Territorial road leading from Burlington to Iowa City;

Which was read a first time.

Mr. Felkner, from the committee to whom was referred

No. 107, H. R. file, A bill to locate a Territorial road from Iowa City to the Des Moines river;

Reported the same back to the House with amendment.

Mr. Felkner, from the select committee to whom was referred

No. 8, H. R. file, A bill to legalize the acts of the Board of County Commissioners of Jackson county in certain cases, and to make valid the acts of certain road commissioners;

Reported the same back to the House, and recommend its indefinite postponement.

Mr. Robertson, asked and obtained leave, to withdraw the account and petition of Laurel Summers.

No. 110, H. R. file, Joint resolution allowing Wilson & Keesecker additional compensation for printing the Journal of the House of Representatives of last session;

Was read a second time.

Mr. Rogers moved that the same be engrossed and read a third time to-morrow;

Pending which,

Mr. Lewis moved to amend by striking out the sum allowed, viz: '$100," and insert "$60;"

Which was lost.

The question then recurring upon the motion to engross;

Upon which the yeas and nays were ordered;

Yeas 14, Nays 10.

Those who voted in the affirmative were,

Messrs. Andros,
Berry,
Brierly,
Briggs,
Felkner,
Goddard,
Hackleman,
Hepner,
McCulloch,
Newell,
Rogers,
Steele,
Swearingen,
Speaker.

Those who voted in the negative were,

Messrs. Barton,
Blair,
Jay,
Lewis,
McMillan,
Robertson,
Sales,
Thornton,
Walworth,
Wilson.

So the motion was agreed to.

No. 111, H. R. file, Joint resolution employing Edward H. Thomas to superintend the printing of the laws of the present session;

Was read a second time; when,

On motion of Mr. Walworth,

The same was ordered to lie on the table.

No. 113, H. R. file, Joint resolution fixing the compensation of G. S. Hampton, for services rendered the House of Representatives, &c.;

Was read a second time; when,

On motion of Mr. Felkner,

The same was ordered to be engrossed and read a third time to-morrow.

No. 115, H. R. file, A bill for the relief of the sureties of public officers;

Was read a second time; when,

On motion of Mr. Sales,

The House resolved itself into the committee of the whole, for the consideration of the same, Mr. Barton in the Chair; and,

After some time spent therein, the committee rose, and, by their chairman, reported the same back to the House without amendment;

Which was concurred in; when,

On motion of Mr. Hackleman,

The same was ordered to be read a third time to-morrow.

No. 112, H. R. file, A bill regulating marriages;

Was read a second time.

Mr. Wilson moved to commit the same to the committee of the whole, and that it be made the order of the day for Monday next.

Mr. Barton moved to amend, so that the same be the order of the day for to-morrow;

Which was agreed to.

No. 101, H. R. file, An act to authorize Thomas McCrany and Jas. Churchman to keep a ferry across the Mississippi river at Dubuque;

Was read a third time.

Mr. Barton moved

To refer the same to the committee on corporations;

Which was lost.

Mr. Rogers moved to amend the same by adding the following:

SEC. 3. The non user of the privileges of this act for the space of one year after its passage, shall work a forfeiture of the same;

Which was agreed to.

The question was then taken upon the passage of the same, put, carried and title agreed to.

No. 58, C. file, An act to authorize Ezra F. Denson and Newton P. Denson, to keep a ferry across the Mississippi river;

Was read a third time, passed and title agreed to.

Mr. Robertson moved to reconsider the vote had upon,

No. 101 H. R. file, title as above;

Which was agreed to; when,

On motion of Mr. Rogers,

The following additional section was made thereto:

SEC. 4. Any future Legislature shall have power to alter, amend, or repeal this act;

And the same passed and the title agreed to.

No. 71, C. file, A bill amendatory of an act authorizing Robert M. G. Patterson to keep a ferry.

No. 103, H. R. file, An act to relocate a part of a Territorial road from Davenport to Marion.

No. 104, H. R. file, An act to relocate a part of the Territorial road leading from Fort Madison to Iowaville;

And,

No. 105, H. R. file, An act to establish a Territorial road from Birmingham, in Van Buren county, to the Indian Agency;

Were severally read a third time, passed and titles agreed to.

No. 108, H. R. file, A bill for the organization of County Medical Societies and to regulate the practice of physic and surgery;

Was read a third time; and,

Upon the question, shall the bill pass?

The yeas and nays were ordered;

Yeas 13, Nays 10.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Berry,
Brierly,
Briggs,
Lewis,
McCulloch,
Robertson,
Sales,
Steele,
Swearingen,
Thornton,
Speaker.

Those who voted in the nagative were,

Messrs. Blair,
Felkner,
Goddard,
Hackleman,
Hepner,
Jay,
McMillan,
Newell,
Rogers,
Wilson.

So the bill passed and title was agreed to.

No. 56, C. file, An act to establish new counties and define their boundaries in the late cession from the Sac and Fox Indians, and for other purposes;

Was considered in committee of the whole, Mr. Andros in the chair; and,

After some time spent therein, the committee rose, and by their chairman, reported the same back to the House without amendment;

Which was agreed to; when,

On motion of Mr. Newell,

The same was referred to a select committee of one from each electoral district.

The Chair appointed Messrs. Newell, Barton, Berry, Brierly, Culbertson, Felkner, Hepner, McMillan, Robertson and Rogers, said committee.

The following message was then received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have passed with amendment

No. 34, H. R. file, An act for the relief of Walter Butler.

The Council have concurred in the report of the committee of conference relative to

No. 39, C. file, An act concerning costs and fees;

By amending the same.

No. 34, H. R. file, A bill for the relief of Walter Butler;

Being returned from the Council with an amendment, the same was concurred in.

No. 39, C. file, An act concerning costs and fees;

And the report of the commmittee of conference as amended by the Council, was taken up and agreed to.

No. 107, H. R. file, A bill to locate a Territorial road Iowa City, to the Des Moines river;

With the amendment made by the select committee, to whom the same was referred, was taken up and amendment agreed to; when,

On motion of Mr. Felkner,

The same was ordered to be engrossed and read a third time tomorrow.

No. 100, H. R. file, An act donating out lot No. 10, in Iowa City, to the citizens thereof;

And the report of the committee on Territorial affairs, to whom the same was referred, was taken up, and the amendment of the committee agreed to; when,

On motion of Mr. Robertson,

The same was ordered to be engrossed and read a third time to-morrow.

No. 8, H. R. file, A bill to legalize the acts of the Board of County Commissioners of Jackson county, in certain cases, and to make valid the acts of certain road commissioners;

With the report of the committee, to whom the same was referred, was taken up, and,

The question being upon the recommendation of the committee, to wit:

The indefinite postponement of the bill;

Was put and agreed to.

Mr. McMillan moved to adjourn;

Which was lost.

Mr. Jay moved to take from the table

No. 33, C. file, An act concerning mortgages;

Which was agreed to; when,

On motion of Mr. Barton,

The House resolved itself into committee of the whole, for the consideration of the same, Mr. Newell in the chair; and,

After some time spent therein, the committee rose, and by their chairman reported progress, and asked leave to sit again;

Which was granted.

On motion of Mr. Hackleman,

The House adjourned.

TWO O'CLOCK, P. M.

Mr. McCulloch moved

To reconsider the vote had upon the indefinite postponement of

No. 8, H. R. file, A bill to legalize the acts of the Board of County Commissioners of Jackson county, in certain cases, &c.;

Which was agreed to.

Mr. Felkner moved a call of the House, which was had, and absent members sent for; when,

On motion of Mr. Hepner,

The further call of the House was dispensed with.

The question was then taken upon the indefinite postponement of the same, by yeas and nays;

Yeas 14; Nays 8.

Those who voted in the affirmative were,

Messrs. Andros,
Blair,
Brierly,
Briggs,
Felkner,
Goddard,
Hepner,
Jay,
McMillan,
Rogers,
Sales,
Steele,
Thornton,
Speaker.

Those who voted in the negative were,

Messrs. Berry,
Hackleman,
Lewis,
McCulloch,
Newell,
Robertson,
Swearingen,
Wilson.

So the indefinite postponement of the bill was agreed to.

The following message was received from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—The Council have passed,

No. 76, H. R. file, A bill to incorporate the Muscatine Lyceum;

No. 68, H. R. file, An act to incorporate the Farmer's Half Breed Land Company, in the county of Lee.

No. 96, H. R. file, An act to divorce certain persons therein named.

No. 66, C. file, An act to incorporate the Iowa City College.

No. 72, C. file, An act to vacate a part of the plat of the town of Port Allen, and to legalize the relocation of a part of a Territorial road;

Were sevrally read a first time.

No. 68, H. R. file, A bill to incorporate the Farmers' Half Breed Land Company, in the county of Lee.

Being returned from the Council with amendments, the same was considered, and amendments agreed to.

No. 96, H. R. file, A bill granting divorces to certain persons, therein named;

Being returned from the Council with amendments;

The same was considered separately.

The question was taken upon agreeing to the first amendment, which was to strike out the 17th section;

Upon which the yeas and nays were ordered;

Yeas 20; Nays 4.

Those who voted in the affirmative were,

Messrs. Barton,
Berry,
Blair,
Brierly,
Briggs,
Felkner,
Goddard,
Hackleman,
Jay,
McCulloch,
McMillan,
Newell,
Robertson,
Rogers,
Sales,
Steele,
Swearingen,
Wilson,
Speaker.

Those who voted in the negative were,

Messrs. Hepner,
Lewis,
Thornton,
Walworth.

So the amendment was agreed to.

The question was then taken upon the second and third amendments of the Council, which was to insert two additional sections, and the same agreed to.

The following message was received from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—The Council have passed,

No. 68, C. file, An act regulating she salary of the Auditor of Public Accounts and Treasurer.

Also with amendments,

No. 90, H. R. file, An act for the relief of petit jurors, in certain cases.

I herewith present for your signature

An act regulating interest on money.

And,

An act regulating practice in the District Courts.

No. 68, C. file, An act regulating the salary of the Auditor of Public Accounts and Treasurer;

Was read a first time.

No. 90, H. R. file, A bill for the relief of Petit Jurors in certain cases;

Being returned from the Council with amendments, the same was considered separately.

The question was taken upon the 1st amendment of the Council, which was to insert Van Buren county in the provisions of the bill;

And agreed to.

The question was then taken upon the 2d amendment, which was to insert Dubuque county in the provisions of the same; and lost.

No. 33, C. file, An act conerning mortgages;

Was again considered.

Mr. Rogers moved to amend by inserting the following, as an additional section:

Sec. 4. The third section of "an act subjecting real and personal estate to execution," passed at this session of the Legislature, shall not apply to the sale of real estate by virtue of mortgage deeds.

Upon which the yeas and nays were ordered;

Yeas 6, Nays 18.

Those who voted in the affirmative were,

Messrs. Barton,
Blair,
Lewis,
McMillan,
Rogers,
Speaker.

Those who voted in the negative were,

Messrs. Andros,
Berry,
Brierly,
Briggs,
Felkner,
Goddard,
Hackleman,
Hepner,
Jay,
McCulloch,
Newell,
Robertson,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

So the amendment was disagreed to.

Mr. Barton moved to amend the last section of the same by inserting the following:

"Provided, nothing in this act shall be so construed as to effect or operate on any mortgage duly executed and recorded before the passage of this act.

Which was disagreed to.

Mr. Newell moved to refer the same to a select committee;

Which was agreed to.

The Chair appointed Messrs. Newell, Hepner and Jay, said committee.

Mr. Barton moved to take from the table,

No. 41, H. R. file, A bill to legalize the acts of Cyrus Gibson a Justice of the Peace, of Van Buren county;

Which was agreed to.

Mr. Rogers moved to indefinitely postpone the consideration of the same.

Upon which the yeas and nays were ordered;

Yeas 14; Nays 10.

Those who voted in the affirmative were,

Messrs. Andros,
Berry,
Blair,
Briggs,
Felkner,
Hepner,
Jay,
McMillan,
Robertson,
Rogers,
Sales,
Steele,
Wilson,
Speaker.

Those who voted in the negative were,

Messrs. Barton,
Brierly,
Goddard,
Hackleman,
Lewis,
McCulloch,
Newell,
Swearingen,
Thornton,
Walworth.

So the motion was agreed to.

On motion of Mr, Barton,

The House adjourned.

FRIDAY MORNING, FEBRUARY 10, 1843.

The House met pursuant to adjournment.

Mr. Barton, from the committee on engrossed bills, have examined
No. 110, H. R. file, Joint resolution allowing Wilson and Keesecker additional compensation for printing the Journal of the House of Representatives of last session.
No. 113, H. R. file, Joint resolution fixing the compensation of G. S. Hampton, for services rendered this House, &c.
No. 107, H. R. file, An act to locate a Territorial road from Iowa City, to the Des Moines river.
And,
No. 100, H. R. file, An act donating out lot No. 10, in Iowa City, to the citizens thereof.
And find the same to be correctly engrossed.

Mr. Robertson, from the select committee, to whom was referred
No. 25, C. file, An act relative to the time of taking effect of the laws of the present session;
Reported the same back to the House and recommended its passage.

The following message was received from the Council by their Secretary Mr. Fales:
Mr. Speaker—The Council have appointed
Messrs. Gehon, Wallace and Wm. Patterson, a committee of conference on the part of the Council, relative to the disagreeing vote of the two Houses on the amendment to the 10th section, of
No. 25, H. R. file, An act organizing a Board of County Commissioners in each county.

The Council have receded from their amendment to the 10th sec. of
No. 65, H. R. file, A bill to define the duties of Territorial Agent and for other purposes.

The Council have concurred in all the amendments made by the House to
No. 40 C. file, An act regulating ferries;
Except that made to the 7th section, to which they have disagreed.

The Council have passed
No. 101, H. R. file, An act to authorize Thos. McCrany and James Churchman to keep a ferry across the Mississippi river at Dubuque;
No. 104, H. R. file, An act to relocate a part of the Territorial road leading from Fort Madison to Iowaville.

No. 106, H. R. file, An act to locate a certain Territorial road from Cascade, in Dubuque county, to O. A. Olmstead's mills, in Delaware county.

No. 114, H. R. file, An act to attach Delaware to Dubuque county, for judicial purposes.

No. 116, H. R. file, Joint resolution authorizing William Crum to print 960 copies of the valuation law, and the act concerning costs and fees.

No. 62, H. R. file, An act to authorize Arthur Thome and others, to construct a dam part way across the Des Moines river.

No. 105, H. R. file, An act to establish a Territorial road from Birmingham, in Van Buren county, to the Indian Agency;

I herewith return

An act to authorize Isaac R. Campbell and company, to construct a dam across the Des Moines river;

The same being signed by the President of the Council.

Mr. Felkner presented the petition of Harriett Yewell, asking to be divorced from her husband Soloman Yewell.

Mr. Rogers moved

To lay the same on the table, which was lost.

Mr. Felkner moved

To refer the same to a select committee consisting of the Delegation from Johnson and Henry counties, and that Mr. Lewis be added to the committee; pending which,

Mr. Jay moved

To refer the same to the committee on claims;

Which was lost.

The question upon the original motion was then put, and agreed to.

Mr. Newell, from the select committee, to whom was referred,

No. 33, C. file, An act concerning mortgages;

Reported the same back to the House and recommended its passsge.

No. 117, H. R. file, A bill to change the time of the annual meeting of the Legislative Assembly;

Was read a second time.

Mr. Rogers moved

To indefinitely postpone the consideration of the same;

Upon which the yeas and nays were ordered;

Yeas 18, Nays 5.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Berry,
Blair,
Brierly,
Briggs,
Felkner,
Goddard,
Hackleman,
Hepner,
Jay,
McCulloch,
McMillan,
Newell,
Rogers,
Sales,
Steele,
Swearingen,
Speaker.

Those who voted in the negative were,

Messrs. Lewis,
Robertson,
Thornton,
Walworth,
Wilson.

So the bill was indefinitely postponed.

No. 68, C. file, An regulating the salary of the Auditor of Public Accounts and Treasurer;

Was read a second time, when,

On motion of Mr. Barton,

The same was referred to a select committee.

The Chair appointed Messrs. Barton, Hepner and Walworth, said committee.

No. 72, C. file, An act to vacate a part of the plat of the town of Port Allen, and to legalize the relocation of a part of a Territorial road;

Was read a second time; when,

On motion of Mr. Newell,

The same was ordered to be read a third time to-morrow.

No. 66, C. file, An act to incorporate the Iowa City College;

Was read a second time; when,

On motion of Mr. Felkner,

The House resolved itself into committee of the whole, Mr. Briggs in the chair; and,

After some time spent therein, the committee rose, and by their chairman, reported the same back to the House with amendments;

Which were concurred in; when,

On motion of Mr. Felkner,

The same was referred to a select committee.

The Chair appointed Messrs. Felkner, Hepner and Barton, said committee.

No. 100, H. R. file, An act donating out lot No. 10, in Iowa City, to the citizens thereof.

No. 107, H. R. file, An act to locate a Territorial road from Iowa City, to the Des Moines river.

No. 113, H. R. file, Joint resolution fixing the compensation of G. S. Hampton for services redered the House of Representatives, &c.

No. 110, H. R. file, Joint resolution allowing to Wilson & Keesecker additional compensation for printing the Journal of the House of Representatives of last session.

And,

No. 115, H. R. file, A bill for the relief of securities of public officers in certain cases.

Were severally read a third time, passed and titles agreed to.

No. 112, H. R. file, A bill regulating marriages;

Was considered in committee of the whole, Mr. Sales, in the chair; and,

After some time spent therein, the committee rose, and by their chairman, reported the same back to the House with amendments.

The following message was received from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—The Council have passed,

No. 64, C. file, An act defining crimes and punishments.

No. 70, C. file, An act authorizing the several Boards of County Commissioners to grant permits for constructing dams across navigable rivers.

No. 75, C. file, Joint resolution authorizing the payment of money to the Secretary of the Territory.

No. 89, H. R. file, Joint resolution relative to the printing of the decisions of the Supreme Court.

I herewith present for your signature,

An act to authorize Ezra F. Denson and Newton P. Denson to keep a ferry.

An act amendatory to an act authorizing R. M. G. Patterson to keep a ferry.

An act subjecting real and personal estate to execution.

The Council have passed with amendments,

No. 45, H. R. file, An act to provide for assessing and collecting County and Territorial revenue.

No. 48, H. R. file, An act providing for and regulating general elections in this Territory.

The Council insist on their amendment, to

No. 90, H. R. file, An act for the relief of petit jurors, in certain cases.

Mr. Lewis, from the committee on enrolled bills, reported that they had presented to the Governor for his approval on the 10th instant:

An act regulating ferries on English river.

An act entitled an act to incorporate the city of Keosauqua.

An act to incorporate the Jackson County Academy.

An act to provide for holding elections at Saint Peters and other places.

An act to locate a Territorial road from the northern limits of Missouri to Keosauqua, in Van Buren county.

An act to amend an act incorporating the town of Salem, in Henry county.

An act to authorize the election of an additional Justice of the Peace and constable, in Center township, Henry county.

An act to authorize Isaac R. Campbell and Company to construct a dam part way across the Des Moines river.

An act for the prevention of certain immoral practices.

On motion of Mr. Wilson,
The House adjourned.

TWO O'CLOCK, P. M.

The following message was then received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have stricken out all after the enacting clause, of

No. 94, H. R. file, An act to encourage the destruction of wolves.

Mr. Andros moved
A call of the House, which was had, and absent members sent for.

Mr. McCulloch asked and obtained leave of absence for Mr. Brierly; when,
On motion of Mr. Hackleman,
The further call of the House was dispensed with.

Mr. Hepner moved to resume the consideration of
No. 112, H. R. file, A bill regulating marriages;
Which was lost.

No. 25, H. R. file, An act organizing a board of County Commismissioners in each county in the Territory of Iowa;
Being returned from the Council;
On motion of Mr. Robertson,
A committee of conference was appointed on the part of the House, to confer with a similar committee appointed by the Council, in relation to the disagreeing vote of the two Houses, upon the same.
The Chair appointed Messrs. Robertson, Blair and Newell, said committee.

No. 40, C. file, An act regulating ferries;

Being returned from the Council, with their disagreement to the amendment of the House to the 7th section.

Mr. Barton moved

That the House insist upon their amendment to the same;

Which was agreed to.

No. 70, C. file, An act authorizing the several Boards of County Commissioners to grant permits for constructing dams across navigable rivers.

No. 75, C. file, Joint resolution authorizing the payment of money to the Secretary of the Territory;

And,

No. 64, C. file, An act defining crimes and punishments;

Were severally read a first time.

No. 45, H. R. file, An act providing for assessing and collecting county and Territorial revenue;

Being returned from the Council with amendments;

The same were considered separately, and the first, second, third, sixth, seventh, eighth, ninth and tenth amendments of the Council agreed to;

And the fourth and fifth amendments of the same disagreed to.

No. 90, H. R. file, An act for the relief of petit jurors, in certain cases;

Being returned from the Council, the Council insisting upon their amendments to the same;

Mr. Rogers moved

That the House recede from her disagreeing vote to the same;

Which was agreed to.

Mr. Bunker moved

To take from the table,

No. 97, H. R. file, An act to locate a Territorial road in Henry and Washington counties, and vacate a part of a Territorial road in said counties;

Which was agreed to; when,

On motion of Mr. Bunker,

The same was read a third time, passed and title agreed to.

Mr. Felkner moved to take from the table

No. 98, H. R. file, Joint resolution authorizing the Territorial Treasurer to disburse the money accruing to the Territory under the act of Congress, 4th of September, 1841;

Which was agreed to; when,

On motion of Mr. Walworth,

The same was referred to a select committee of one from each electoral district.

The Chair appointed Messrs. Walworth, Andros, Culbertson, Felkner, Hepner, McCulloch, McMillan, Newell, Robertson, and Swearingen, said committee.

No. 48, H. R. file, An act providing for and regulating general elections;

Being returned from the Council with amendments by the same.

The amendments were considered separately.

The question was taken upon the first amendment of the Council, and agreed to.

The question was then taken upon agreeing to the second amendment of the Council, to wit:

Insert after the word "affirmation" in the 16th line of the 12th section, the following:

"And make full and satisfactory answers to such interorgatories."

Upon which the yeas and nays were ordered;

Yeas 9; Nays 14.

Those who voted in the affirmative were,

Messrs. Andros,
Berry,
Briggs,
Felkner,
Hackleman,
Hepner,
McCulloch,
Rogers,
Speaker.

Those who voted in the negative were,

Messrs. Barton,
Blair,
Bunker,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Swearingen,
Thornton,
Walworth.
Wilson,

So the 2d amendment was concurred in.

The question was then taken upon concurring in the third amendment of the Council;

And agreed to.

The question was then taken upon concurring in the 4th amendment of the Council;

The yeas and nays were ordered;

Yeas 15, Nays 8.

Those who voted in the affirmative were,

Messrs. Barton,
Berry,
Blair,
Bunker,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

Those who voted in the nagative were,

Messrs. Andros,
Briggs,
Felkner,
Hackleman,
Hepner,
McCulloch,
Rogers,
Speaker.

So the 4th amendment of the Council was agreed to.

The following message was received from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—The Council have passed, with amendments,

No. 70, H. R. file, A bill relative to the probate of wills, executors, administrators, guardians, trustees of minors and probate courts, and for defining their duties.

And have receded from their amendments to the 18th and 52d sections of

No. 45, H. R. file, An act to provide for assessing and collecting County and Territorial revenue.

The Council insist upon their disagreement to the amendment of the House, to the 7th section of

No. 40, C. file, An act regulating ferries;

And have appointed Messrs. Springer, Jenkins and R. M. G. Patterson, a committee of conference in relation thereto.

The Council have passed with amendments,

No. 100, H. R. file, An act donating out lot No. 10, in Iowa City, to the citizens thereof.

And,

No. 72, H. R. file, A bill to relocate the county seat of Clayton county.

Also with amendments,

No. 113, H. R. file, Joint resolution fixing the compensation of G. S. Hampton, for services rendered the House of Representatives, &c.

I herewith present for your signature,

An act concerning costs and fees.

No. 70 H. R. file, An act relative to probate of wills, &c.;

Being returned from the Council with amendments.

The same were considered separately and agreed to.

No. 40, C. file, An act regulating ferries;

Being returned from the Council, the Council insisting upon her disagreeing vote, to the amendment of the House, to the same.

On motion of Mr. Barton,

A committee of conference was appointed, on the part of the House, to confer with a similar committee, appointed on the part of the Council, in relation to the same.

The Chair appointed Messrs. Barton, Hepner and McMillan, said committee.

No. 100, H. R. file, An act donating out-lot No. 10, in Iowa City, to the citizens thereof;

Being returned from the Council with amendments, the same were considered separately;
And agreed to.

No. 72 H. R. file, An act to relocate the county seat of Clayton county;
Being returned from the Council with amendments;
On motion of Mr. Andros,
The same was disagreed to.

Mr. Robertson moved to reconsider the vote had upon the same;
Which was agreed to; when,
On motion of Mr. Rogers,
The amendment of the Council to the same was agreed to.

No. 25, C. file, An act relative to the time of taking effect of the laws of the present session;
And the report of the committee, to whom the same was referred, was taken up and concurred in; when,
On motion of Mr. McMillan,
The 42d rule was suspended; and,
The same read a second and third time, passed and title agreed to.

No. 33, C. file, An act conerning mortgages;
And the report of the committee, to whom the same referred;
Was taken up.

Mr. McMillan moved
To suspend the 42d rule, so that the bill be read a third time now;
Pending which,
Mr. Barton moved to amend the last section of the same, by inserting the following:
"Provided, nothing in this act shall be so construed as to effect or operate on any mortgage executed and recorded before the passage of this act."
Which was lost.
The question then recurring upon the original motion;
Was put and agreed to; and,
The same read a third time, passed and title agreed to.

Mr. Walworth, on leave granted, introduced
No. 119, H. R. file, An act to locate a Territorial road from a certain point on the Territorial road leading from Bloomington to Iowa City, and to the rapids on Cedar river.
Which was read a first time; and,
On motion of Mr. Walworth,
The 42nd rule was suspended; and,
The same read a second and third time, passed and title agreed to.

Mr. Rogers, on leave granted, introduced

No. 120, H. R. file, Joint resolution relative to the repayment of the fine imposed upon General Jackson.
Which was read a first time.

On motion of Mr. McMillan,
The House adjourned.

SATURDAY MORNING, FEBRUARY 11, 1843.

The House met pursuant to adjournment.

Mr. Berry presented the petition of sundry citizens, asking that the act of James M. Denson, as Justice of the Peace for Washington township, Linn county, be legalized; which,
On motion of Mr. Berry,
Was referred to the delegation from Cedar, Linn and Jones.

Mr. Bunker presented the petition of sundry citizens of Washington county, in relation to a certain Territorial road; which,
On motion of Mr. Bunker,
Was referred to the delegation from Washington and Louisa counties.

Mr. Bunker presented the petition of sundry citizens of Washington county, asking the repassage of an act to locate a certain Territorial road; which,
On motion of Mr. Bunker,
Was referred to a select committee.
The Chair appointed Messrs. Bunker, Felkner and Newell, said committee.

Mr. McMillan, from the committee to whom was referred the petition of Harriett Yewell, praying to be divorced from her husband Solomon Yewell, have had the same under consideration and have agreed to ask to be discharged from the further consideration of the subject, and that the petitioner have leave to withdraw her petition.

Mr. Robertson, from the committee of conference, appointed to take into consideration the disagreeing vote between the two Houses upon
No. 25, H. R. file, An act organizing a Board of County Commissioners in each county in the Territory of Iowa;
Reported the same back to the House and recommended its passage, with the following amendment:

10th section, 15th line, add "or reserve funds for such payment."

Mr. Felkner gave notice that he would on same future day ask leave to introduce a bill to divorce Harriett Yewell, from her husband, Solomon Yewell.

Mr. Andros, on previous notice and leave granted, introduced No. 121, H. R. file, An act allowing and regulating writs of attachment;

Which was read a first time.

Mr. Lewis, from the committee on enrolled bills, reported that they had examined,

An act to attach Delaware to Dubuque county for judicial purposes.

Joint resolution authorizing William Crum to print 1440 copies of the valuation law, and the act concerning costs and fees, in pamphlet form.

An act relative to mechanics' liens, and for other purposes.

Joint resolution relative to the printing of the decisions of the Supreme Court.

An act to incorporate the Farmer's Half Breed Land Company, in the county of Lee.

An act to authorize Robert McKee and Ovid Grennell, to construct a dam part way across the Des Moines river.

Joint resolution relative to seals for Delaware county.

An act to divorce certain persons therein named.

An act supplemental to an act entitled an act for the relocation of the county seat of Lee county.

An act to prevent and punish gaming.

An act to locate a Territorial road from Cascade, in Dubuque county, to O. A. Olmstead's mills, in Delaware county.

An act for the relief of Walter Butler.

An act to relocate a part of the Territorial road leading from Fort Madison to Iowaville.

An act to establish a Territorial road from Birmingham, in Van Buren county, to the Indian Agency.

An act to define the duties of Territorial Agent, and for other purposes; and,

An act to authorize Thomas McCrany and Jas. Churchman to keep a ferry across the Mississippi river at Dubuque.

And find the same to be correctly enrolled.

No. 64, C. file, An act defining crimes and punishments;
Was considered in committee of the whole, Mr. Barton in the chair; and,
After some time spent therein, the committee rose, and by their chairman reported progress, and asked leave to sit again;
Which was granted.

The following message was received from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—The Council have passed,
No. 61, C. file, An act to authorize Isaiah Henshaw to erect a dam across Walnut Creek, in the county of Jefferson.

No. 65, C. file, An act defining the number of copies of the laws of the present session to be published, and the mode of their distribution.

No. 76, C. file, A joint reselution for the relief of the estate of Jas. M. Hawkins, deceased.

No. 102, H. R. file, An act authorizing the construction of slopes in mill dams in Skunk river.

Also with amendments,
No. 80 H. R. file, Joint resolution authorizing Hughes & Williams to print the laws of the present session.

No. 109, H. R. file, Joint resolution allowing to B. F. Wallace and Jos. T. Fales, an additional compensation.

Also without amendments,
No. 110, H. R. file, Joint resolution allowing Wilson & Keesecker additional compensation for printing the Journal of the House of Representatives of last session.

I herewith present for your signature
An act to provide for changing the venue in civil and criminal cases.

An act to amend an act to incorporate the Washington Manufacturing company.

On motion of Mr. Hepner,
The House adjourned.

TWO O'CLOCK, P. M.

No. 70, C. file, An act authorizing the several Boards of County Commissioners, to grant permits for constructing dams across navigable rivers;

Was read a second time; and,

On motion of Mr. Hepner,

Committed to the committee of the whole, and made the order of the day for Monday.

No. 75, C. file, Joint resolution authorizing the payment of money to the Secretary of the Territory;

Was read a second time; and,

On motion of Mr. Robertson,

The same was ordered to be read a third time on Monday.

No. 120, H. R. file, Joint resolution relative to the repayment of the fine imposed upon General Jackson;

Was read a second time; and,

On motion of Mr. McMillan,

Committed to the committee of the whole and made the order of the day for Tuesday.

No. 118, H. R. file, A bill to relocate a part of the Territorial road leading from Burlington to Iowa City;

Was read a second time; and,

On motion of Mr. Hackleman,

The 42d rule was supended, and the same read a second and third time, passed and title agreed to.

No. 61, C. file, A bill to authorize Isaiah Henshaw to erect a dam across Walnut Creek, in Jefferson county.

No. 65, C. file, An act defining the number of copies of the Laws of the present session to be published, and the mode of their distribution.

And,

No. 76, C. file, Joint resolution for the relief of the estate of James M. Hawkins deceased.

Were severally read a first time.

No. 72, C. file, An act to vacate a part of the plat of the town of Port Allen, and to legalize the relocation of a part of a Territorial road;

Was read a third time, passed and title agreed to.

No. 80, H. R. file, A joint resolution to authorize Hughes and Williams to print the laws of the present session;

Being returned from the Council with amendments, was considered and amendments concurred in.

No. 109, H. R. file, Joint resolution allowing to B. F. Wallace and Joseph T. Fales, an additional compensation, &c.;
Being returned from the Council with amendment, the same was concurred in.

No. 66, C. file, An act to incorporate the Iowa City College.
Was read a third time, passed and title agreed to.

The report of the select committee to whom was referred the petition of Harriett Yewell, was taken up; the report concurred in, and the committee discharged.

No. 25, H. R. file, An act organizing a Board of County Commissioners in each county;
And the report of the committee of conference to whom the same was referred, was taken up, and the report and amendment concurred in.

Mr. Robertson moved to reconsider the vote had upon
No. 72, H. R. file, A bill to relocate the county seat of Clayton county;
Which was agreed to; when,
On motion of Mr. Robertson,
All after the word "Provided" in section 9th, was stricken out, to the words "Prairie Laport" inclusive;
Which was agreed to.

No. 64, C. file, An act defining crimes and punishment;
Was again resumed in committee of the whole, Mr. Barton in the Chair; and,
After some time spent therein, the committee rose, and, by their chairman, reported the same back to the House with sundry amendment;
Which were considered separately, and agreed to, except the 21st section;
Which was disagreed to by yeas and nays;
Yeas 6; Nays 15.

Those who voted in the affirmative were,
Messrs. Andros, Hepner, McCulloch, Newell, Rogers, Speaker.

Those who voted in the negative were,
Messrs. Barton, Berry, Blair, Bunker, Goddard, Hackleman, Jay, Lewis, McMillan, Robertson, Steele, Swearingen, Thornton, Walworth, Wilson.

The House also disagreed to some slight amendments made by the committee, to the 65th section, of the first class of crimes, and to 11th, 25th and 37th sections of the second class.

Mr. Lewis then offered the following to come in at the end of 43d section:

"Provided, That no person imprisoned in any county jail for a failure to pay any fine imposed upon him, shall not be imprisoned more than three months, if he has no property."

Which was lost; when,

On motion of Mr. McMillan,

The amdndments were ordered to be engrossed and read a third time on Monday.

On motion of Mr. Newell,

The House adjourned.

MONDAY MORNING, FEBRUARY 13, 1843.

The House met pursuant to adjournment.

Mr. Culbertson presented the petition of sundry citizens of Washington county, in relation to their county boundary; which,

On motion of Mr. Culbertson,

Was referred to the committee on township and county boundaries.

Mr. Wilson offered the following:

Resolved, That no business of a general nature be introduced into this House after the 14th of this month, nor any of a local nature after the 15th.

Which was lost.

Mr. Barton from the committee of conference to whom was referred No. 68, C. file, An act regulating the salary of the Auditor of Public Accounts and Treasurer;

Reported the same back to the House, with a communication from the Auditor of Public Accounts, and recommend the passage of the bill.

Auditor's Office,
Iowa City, Feb. 10th, 1843.

To the Honorable, select committe of the House of Representatives, to whom was referred, a bill regulating the salary of Auditor of Public Accounts, and Territorial Treasurer:

Gentlemen :—In compliance with the request of your Chairman, I herewith transmit to you, a partial statement of the condition of this office, and the duties necessary to be performed by the Auditor of Public Accounts. With regard to the present situation and condition of the office, I have only to say, that it is in a state of utter confusion. The books and papers appertaining to the office, came into my hands about three hours since—consequently, from the short space of time that they have been in my possession, I am not prepared to state any thing in relation to their contents. I discover that there are but two books in the office; one of which contains accounts (which have been very imperfectly kept,) with some of the Collectors of the different counties in the Territory; the other appears to have been originally intended as a record of official correspondence, but has not been used for that or any other purpose, since sometime in the month of December, 1841. From the slight view which I have been enabled to take of the papers, I discover that there are many of the Clerks of the different Boards of County Commissioners in the Territory, that have failed to transmit to this office an abstract of the amount of Territorial taxes assessed in their respective counties, according to law. Consequently, it is impossible, under existing circumstances, to make an estimate of what amount of tax has been assessed and collected for Territorial purposes. It will therefore, be incumbent upon me in entering upon the discharge of the duties of the office, to address a circular to each of the Clerks of the several Boards of County Commissioners, who have heretofore failed to transmit to this office an abstract as aforesaid, for the purpose of ascertaining what amount of taxes have been assessed and collected, in such counties, for Territorial purposes; and for the purpose of rendering such taxes available to the Territory, it will be necessary to adopt such coercive measures, as are provided for by law, to compel the collecting and receiving officers of the different counties, to account to, and settle with the Territorial Treasurer, for such amount of the Territorial revenue as now remains in their hands, for which they have not heretofore accounted.

You will perceive by reference to the several statutes prescribing the duties of the Auditor of Public Accounts, that it is his duty to audit and keep all the accounts of the Territory, for which purpose (under existing laws) he is required to keep five books; also, to prosecute all suits for the collection of the Territorial revenue. And for the purpose of arriving at a more correct conclusion, respecting the duties of the Auditor, I would respectfully refer you to the acts of the Legislative Assembly of 1838 and '39, page 142, together with the subsequent acts relative to the same subject.

Very respectfully
Your obedient servant,
WILLIAM L. GILBERT,
Auditor of Public Accounts.

When,

On motion of Mr. Barton,

The 42d rule was suspended and the same read a second and third time, passed and title agreed to.

Mr. Barton, from the committee of conference, to whom was referred

No. 40, C. file, An act regulating ferries;

Reported the same back to the House, and recommended that the House insist upon their amendments to the 7th section of said act;

Which report was concurred in.

Mr. Berry, from the committee to whom was referred the petition of sundry citizens of Linn county, in relation hereto, reported

No. 122, H. R. file, A bill to legalize the acts of James M. Denson, an acting Justice of the Peace, in and for Linn county;

Which was read a first time.

Mr. Andros, from the committee on claims, to whom was referred the account of Peter Conboy, for services rendered the Council and House of Representatives as Fireman, during the present session, reported

No. 123, H. R. file, Joint resolution allowing pay to Peter Conboy;

Which was read a first time; when,

Mr. Hepner moved

To refer the same to the committee on expenditures;

Which was agreed to.

Mr. Newell, from the committee, to whom was referred,

No. 56, C. file, An act to establish new counties and define their boundaries, in the late cession from the Sac and Fox Indians, and for other purposes;

Reported the same back to the House and recommended the following amendments:

Sec. 1st. Strike out "Davis" and insert "Musquakee."

Sec. 2d. Strike out "Clarke" and insert "Appanoose," and in the same section, strike out "Davis and Clarke" wherever they occur, and insert "Musquakee."

Sec. 3d. Strike out "Chambers" and insert "Wapello," and in the same section, strike out "Davis" and insert "Musquakee."

Sec. 4th. Strike out "Harrison" and insert "Maniton," and in the same section, strike out "Chambers" and insert "Wapello."

Sec. 5th. Strike out "Dodge" and insert "Keokuk."

Sec. 6th. Strike out "Lucas" and insert "Makaska," and in the same section, strike out "Dodge" and insert "Keokuk," wherever it occurs.

Sec. 7th. Strike out "Iowa" and insert "Tecumseh."

Sec. 8th. Strike out "Wapello" and insert "Poweshiek," and in the same section, strike out "Iowa," wherever it occurs, and insert "Tecumseh."

Sec. 9th. Strike out "Calhoun" and insert "Maquoketa."

Sec. 10th. Strike out "Tecumseh" and insert "Winani," and in the same section, strike out "Calhoun," wherever it occurs, and insert "Maquoketa."

Mr. Lewis, from the committee on enrolled bills, reported that they had presented to the Governor for his approval:

An act to prevent and punish gaming.

An act to establish a Territorial road from Birmingham, in Van Buren county, to the Indian Agency.

An act supplemental to an act for the relocation of the county seat of Lee county.

An act to incorporate the Farmers' Half Breed Land Company, in the county of Lee.

An act for the relief of Walter Butler.

An act to locate a Territorial road from Cascade, in Dubuque county, to O. A. Olmstead's mills, in Delaware county.

Joint resolution relative to seals for Delaware county.

An act to relocate a part of the Territorial road leading from Fort Madison to Iowaville.

An act to authorize Robert McKee & Ovid Grennell, to construct a dam part way across the Des Moines river.

An act relative to mechanics' liens and for other purposes.

An act to divorce certain persons therein named.

A Memorial for a grant of land for a canal at each of the Rapids of the Mississippi river.

Joint resolution authorizing William Crum to print 1440 copies of the valuation law, and the act concerning costs and fees, in pamphlet form.

An act to attach Delaware to Dubuque county, for judicial purposes.

Joint resolution relative to the printing of the decisions of the Supreme Court.

The committee on enrolled bills, reported that they had examined, An act to provide for assessing and collecting County and Territorial revenue.

An act relative to the probate of wills, executors, administrators, guardians, trustees of minors, and probate courts, and for defining their powers and duties.

An act providing for and regulating general elections.

Joint resolution fixing the compensation of George S. Hampton for services redered the House of Representatives.

An act donating out lot No. 10, in Iowa City, to the citizens thereof.

Joint resolution allowing B. F. Wallace and J. T. Fales addititional compensation, &c.

Joint resolution to authorize Hughes & Williams to print the laws of the present session.

An act to authorize Arthur Thome and others, to construct a dam part way across the Des Moines river.

An act to authorize Robert McKee and Ovid Grennell to construct a dam part way across the Des Moines river.

An act for the relief of petit jurors, in certain cases.

An act authorizing the construction of slopes and mill dams on Skunk river.

And,

Joint resolution allowing to Wilson & Keesecker additional compensation for printing the Journal of the House of Representatives of last session.

And find the same to be correctly enrolled.

Mr. Lewis, from the select committee, to whom was referred.

No. 92, H. R. file, A bill to authorize the County Commissioners of Scott and Lee counties, to grant licenses to Pilots, &c.;

Reported the same back to the House and recommended that the 3d and 5th sections of the bill be stricken out.

Mr. Lewis, from the select committee, to whom was referred

No. 43, H. R. file, An act to donate the public landing in the town of Bentonsport for mill purposes;

Reported a substitute title as follows:

No. 43, H. R. file, An act allowing the holders of a charter to erect a dam across the Des Moines river, at Bentonsport, further time, and to vacate a portion of a town plat of Bentonsport.

Mr. Bunker, from the committee, to whom was referred the petition of sundry citizens of Washington county, in relation hereto, reported, No. 124, H. R. file, An act to locate a Territorial road in Louisa and Washington counties;

Which was read a first and second time; when,

On motion of Mr. Bunker,

The first blank was filled by inserting therein "James P. Morgan;" and,

On motion of Mr. McMillan,

The second blank was filled by inserting "Samuel Bell;" when,

On motion of Mr. Bunker,

The 42d rule was suspended; and,

The same read a third time, passed and title agreed to.

Mr. Bunker, from the committee, to whom was referred the petition of sundry citizens of Washington county, in relation hereto, reported

No. 125, H. R. file, A bill to legalize the acts of certain road commissioners in Washington county;

Which was read a first time; and,

On motion of Mr. Bunker,

The 42d rule was suspended; and,

The same was read a second and third time, passed and title agreed to.

No. 121, H. R. file, An act allowing and regulating writs of attachments;

Was read a second time; when,

On motion of Mr. Rogers,

The 42d rule was suspended and the same read a third time passed and title agreed to.

No. 61, C. file, An act authorizing Isaiah Henshaw to erect a dam across Walnut Creek, in said county;

Was read a second time; when,

On motion of Mr. Culbertson,

The same was ordered to lie on the table.

No. 65, C. file, An act defining the number of copies of the laws of the present session to be published, and the mode of their distribution;

Was read a second time; and,

On motion of Mr. McMillan,

The same was referred to a select committee.

The Chair appointed Messrs. McMillan, Rogers and Barton, said committee.

No. 76, C. file, Joint resolution for the relief of the estate of James M. Hawkins, deceased;

Was read a second time; when,

On motion of Mr. Felkner,

The same was referred to the committee on expenditures.

No. 75, C. file, Joint resolution authorizing the payment of money to the Secretary of the Territory;

And,

No. 64, C. file, An act defining crimes and punishments;

Were read a third time, passed and titles agreed to.

No. 70, C. file, An act authorizing the several Boards of County Commissioners to grant permits for constructing dams across navigable rivers;

Was considered in committee of the whole, Mr. Andros, in the chair; and,

After some time spent therein, the committee rose, and by their chairman, reported the same back to the House with an amendment.

Which was concurred in; when,

Mr. Andros moved

To amend the 8th section, by inserting after "Skunk river" the following:

And also, that part of Turkey river running through Clayton county above the mouth of Volga;

Which was agreed to.

Mr. McMillan moved

To amend the 7th section of the same, by striking out the following: "By order of the Board of County Commissioners," and insert in lieu thereof "on application of the Board of County Commissioners to the District Court;"

Which was lost; when,

Mr. Lewis moved to suspend the 42d rule; and,

That the same be read a third time now;

Upon which the yeas and nays were ordered;

Yeas 22; Nays 4.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Brierly,
Briggs,
Bunker,
Culbertson,
Goddard,
Hackleman,
Hepner,
Jay,
Lewis,
McCulloch,
Newell,
Robertson,
Rogers,
Sales,
Steele,
Swearingen,
Thornton,
Walworth.
Wilson,
Speaker.

Those who voted in the negative were,

Messrs. Berry,
Blair,
Felkner,
McMillan.

So the motion was agreed to; and,

The same read a third time, passed and title agreed to.

The following message was received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have passsed,

No. 125, H. R. file, An act to legalize the acts of certain road commissioners, in Washington county.

The Council have concurred in the amendment made by the House to the amendment of the Council, to

No. 72, H. R. file, An act to relocate the county seat of Clayton county.

I herewith present for your signature,

An act to incorporate the Iowa City College.

Joint resolution authorizing the payment of money to the Secretary of the Territory.

On motion of **Mr. Lewis,**

The House adjourned.

TWO O'CLOCK, P. M.

No. 112, H. R. file, A bill regulating marriages;

Was resumed in committee of the whole, Mr. McCulloch in the chair; and,

After some time spent therein, the committee rose, and by their chairman, reported the same back to the House with amendments;

Which were concurred in.

Mr. Wilson moved to refer the same to a select committee;

Which was lost.

Mr. McMillan moved

To amend the sixth line of the fourth section, by striking out "fifty," and inserting "twelve."

Mr. Rogers moved to amend the amendment by inserting "twenty-five."

A division of the question was called for, and had;

And the question taken upon striking out, and agreed to.

The question was then taken upon inserting "twenty-five," and agreed to.

Mr. Jay moved

To amend the 6th section, by adding the following:

"Provided, nothing in this act shall be so construed as to interfere in any way with the mode or manner of any religious societies in solemnizing matrimony."

Which was lost.

Mr. Newell moved to strike out all after the enacting clause;

Pending which,

Mr. Hepner moved

To amend by inserting the following section:

Sec. 4. That no minister of the gospel or priest of any christian denomination, shall be authorized by law to solemnize the rites of matrimony, in this Territory, until such minister or priest have caused to be recorded in the office of the Clerk of the district Court of the county, in which he proposes to solemnize the rites of matrimony, his license or the credentials of his clerical character, and have obtained from such clerk a certificate under his hand and official seal, that the same is duly recorded in his office.

Mr. Barton moved a call of the House, which was had, and absent members sent for, who appearing in their seats;

On motion of Mr. Andros,

The further call of the House was dispensed with.

The question was then taken upon Mr. Hepner's amendment by yeas and nays;

Yeas 18, Nays 8.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Berry,
Blair,
Brierly,
Bunker,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Lewis,
McCulloch,
McMillan,
Robertson,
Steele,
Walworth,
Speaker.

Those who voted in the negative were,

Messrs. Briggs,
Jay,
Newell,
Rogers,
Sales,
Swearingen,
Thornton,
Wilson.

Mr. Wilson then moved

To amend the 6th section, by adding the following:

Provided, That nothing in this act shall be so construed as to require any religious denomination to file their certificates with the Clerk of the Court, for record, when they may in accordance with their church decipline, make and keep a record of the same, unless they see proper so to do.

Upon which the yeas and nays were ordered;

Yeas 5; Nays 21.

Those who voted in the affirmative were,

Messrs. Bunker,
Newell,
Steele,
Thornton,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Barton,
Goddard,
Hackleman,
Robertson,
Rogers,

Messrs. Berry,
Blair,
Briggs,
Culbertson,
Felkner,
Hepner,
Jay,
Lewis,
McCulloch,
McMillan,
Sales,
Swearingen,
Walworth,
Speaker.

So the amendment was lost.

The question was then taken upon the motion to strike out all after the enacting clause by yeas and nays;

Yeas 12, Nays 14.

Those who voted in the affirmative were,

Messrs. Andros,
Berry,
Blair,
Briggs,
Bunker,
Felkner,
Newell,
Robertson,
Steele,
Thornton,
Walworth,
Wilson.

Those who voted in the nagative were,

Messrs. Barton,
Brierly,
Culbertson,
Goddard,
Hackleman,
Hepner,
Jay,
Lewis,
McCulloch,
McMillan,
Rogers,
Sales,
Swearingen,
Speaker.

So the motion was lost.

Mr. Wilson moved

To indefinitely postpone the consideration of the same.

Upon which the yeas and nays were ordered;

Yeas 12, Nays 13.

Those who voted in the affirmative were,

Messrs. Andros,
Berry,
Blair,
Briggs,
Bunker,
Felkner,
Newell,
Robertson,
Steele,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Barton,
Brierly,
Goddard,
Hackleman,
Hepner,
Jay,
Lewis,
McCulloch,
McMillan,
Rogers,
Sales,
Swearingen,
Speaker.

So the motion was lost; when,

On motion of Mr. Barton,

The bill was ordered to be engrossed and read a third time to-morrow.

No. 92, H. R. file, A bill to authorize the County Commissioners of Scott and Lee counties, to grant licences;

With the report of the committee to whom the same was referred, was taken up, and report concurred in; when,

On motion of Mr. Robertson,

The same was ordered to be engrossed and read a third time tomorrow, by yeas and nays;

Yeas 16; Nays 10.

Those who voted in the affirmative were,

Messrs. Blair,
Brierly,
Bunker,
Goddard,
Jay,
Lewis,
McCulloch,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Barton,
Berry,
Briggs,
Culbertson,
Felkner,
Hackleman,
Hepner,
Rogers,
Speaker.

The following message was received from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—The Council have passed,

No. 97, H. R. file, An act to locate a Territorial road in Henry and Washington counties, and vacate a part of a Territorial road in said counties.

No. 118, H. R. file, An act to relocate a part of the Territorial road leading from Burlington to Iowa City.

No. 73, C. file, An act to organize, govern and decipline the militia.

No. 77, C. file, An act to regulate conveyances.

Also with amendments,

No. 115, H. R. file, A bill for the relief of the sureties of public officers in certain cases.

I herewith present for your signature,

An act for the limitation of actions and for avoiding vexatious law suits.

An act to vacate a part of the plat of the town of Port Allen, and to legalize the relocation of a part of a Territorial road.

An act concerning mortgages.

An act relative to the time of taking effect of the laws of the present session.

I herewith return

An act to authorize Thomas McCrany and Jas. Churchman to keep a ferry across the Mississippi river at Dubuque.

An act to define the duties of Territorial Agent and for other purposes.

The same having been signed by the President of the Council.

No. 56, C. file, An act to establish new counties and define their boundaries in the late cession from the Sac and Fox Indians, and for other purposes;

With the report of the committee, to whom the same was referred, was taken up, and considered separately.

The question being upon concurring in the 1st amendment of the committee, which was to strike out "Davis" and insert "Musquakee;"

Upon which the yeas and nays were ordered;

Yeas 13; Nays 13.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Blair,
Brierly,
Goddard,
Hackleman,
McMillan,
Newell,
Rogers,
Thornton,
Walworth,
Wilson.
Speaker.

Those who voted in the negative were,

Messrs. Berry,
Briggs,
Bunker,
Culbertson,
Felkner,
Hepner,
Jay,
Lewis,
McCulloch,
Robertson,
Sales,
Steele,
Swearingen,

So the motion was lost.

The question was then taken upon the amendments to the second and third sections, and agreed to.

The question was then taken upon the amendment to the 4th section;

Upon which a division of the question was called for.

And upon the question,

Shall the House strike out?

The yeas and nays were ordered;

Yeas 20, Nays 6.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Berry,
Blair,
Brierly,
Briggs,
Bunker,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
McCulloch,
McMillan,
Newell,
Robertson,
Rogers,
Sales,
Walworth.
Speaker.

Those who voted in the negative were,

Messrs. Jay,
Lewis,
Steele,
Swearingen,
Thornton,
Wilson.

So the motion was agreed.

The question was then taken upon inserting "Manaton;" put and agreed to.

The question was then taken upon agreeing to the amendments to the 5th section.

The yeas and nays were ordered;
Yeas 20, Nays 6.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Berry,
Blair,
Brierly,
Briggs,
Bunker,
Felkner,
Goddard,
Hackleman,
Hepner,
McCulloch,
McMillan,
Newell,
Robertson,
Rogers,
Sales,
Walworth,
Wilson,
Speaker.

Those who voted in the negative were,

Messrs. Culbertson,
Jay,
Lewis,
Steele,
Swearingen,
Thornton.

So the motion was agreed to.

The amendments of the committee to the sixth, seventh, eighth, ninth and tenth sections, were then agreed to.

Mr. Barton then moved to amend the first section by striking out "Davis," and inserting "Massaaskuc."

Which was lost.

Mr. Rogers moved to amend the first section by striking out "Davis" and inserting "Seponoma;"

Upon which the yeas and nays were ordered;
Yeas 14; Nays 12.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Blair,
Brierly,
Bunker,
Goddard,
Hackleman,
Jay,
McMillan.
Newell,
Rogers,
Walworth,
Wilson,
Speaker.

Those who voted in the negative were,

Messrs. Berry,
Briggs,
Culbertson,
Felkner,
Hepner,
Lewis,
McCulloch,
Robertson,
Sales,
Steele,
Swearingen,
Thornton.

So the amendment was agreed to; when,

On motion of Mr. Rogers,
The 42d rule was suspended; and,
The same read a second and third time, passed and title agreed to.

Mr. Walworth, from the select committee to whom was referred,
No. 98, H. R. file, Joint resolution authorizing the Territorial Treasurer to disburse the money accruing to the Territory under the act of Congress, 4th of September, 1841;
Reported the same back to the House, with amendments;
Which were concurred in.

Mr. Walworth moved
That the same be engrossed and read a third time to-morrow.

Upon which the yeas and nays were ordered;
Yeas 12, Nays 14.

Those who voted in the affirmative were,
Messrs. Andros,
Berry
Briggs,
Bunker,
Felkner,
Goddard,
Hackleman,
Hepner,
Rogers,
Sales,
Walworth,
Speaker.

Those who voted in the negative were,
Messrs. Barton,
Blair,
Brierly,
Culbertson,
Jay,
Lewis,
McCulloch,
McMillan,
Newell,
Robertson,
Steele,
Swearingen,
Thornton,
Wilson.

So the motion was lost; when,
On motion of Mr. Newell,
The same was laid on the table.

No. 73, C. file, An act to organize, discipline and govern the militia.
And,
No. 77, C. file, An act to regulate conveyances;
Were read a first time.

No. 115, H. R. file, An act for the relief of securities of public officers in certain cases;
Being returned from the Council with amendments, was taken up, and amendments concurred in; when,
On motion of Mr. Barton,
The House adjourned.

TUESDAY MORNING, FEBRUARY 14, 1843.

The House met pursuant to adjournment.

Mr. Felkner presented the account of F. H. Lee; which,
On motion of Mr. Felkner,
Was referred to the committee on expenditures.

Mr. Hackleman on leave granted introduced
No. 126, H. R. file, Joint resolution relative to the preparation, indexing and distribution of the revised statutes;
Which was read a first time; and,
On motion of Mr. Wilson,
The same was referred to the committee on expenditures.

Mr. Wilson, from the committee on township and county boundaries, to whom was referred the petition of citizens of the attached part of Washington county, lying south of Skunk river, asking to be attached to Jefferson county, for judicial purposes, have had the same under consideration, and believe it to be inexpedient to grant the prayer of said petitioners, and asked to be discharged from the further consideration of the subject.

Mr. Briggs, from the committee on enrolled bills, have examined
An act organizing a Board of County Commissioners in each county.

An act to legalize the acts of certain road commissioners in Washington county.

An act to relocate the county seat of Clayton county.

An act to relocate a part of the Territorial road leading from Burlington to Iowa City.

An act to locate a Territorial road in Henry and Washington counties, and vacate a part of a Territorial road in said counties.

An act for the relief of securities of public officers in certain cases.
And find the same to be correctly enrolled.

Mr. Hepner, from the committee on expenditures, to whom was referred
No. 123, H. R. file, Joint resolution allowing pay to Peter Conboy;
And,
No. 76, C. file, Joint resolution for the relief of the estate of James M. Hawkins, deceased.

Reported the same back to the House and recommended their indefinite postponement.

Mr. Lewis, on leave granted, introduced

No. 127, H. R. file, A bill to amend an act entitled an act to allow and regulate the action of right and the action of ejectment;

Which was read a first time; when,

On motion of Mr. Lewis,

The 42d rule was suspended and the same read a third time; and,

On motion of Mr. Lewis,

The same was referred to a select committee of one from each electoral district.

The Chair appointed Messrs. Lewis, Andros, Berry, Brierly, Bunker, Culbertson, Felkner, Goddard, Hackleman and Jay, said committee.

Mr. Lewis, on leave granted, introduced

No. 128, H. R. file, A bill to legalize the acts of William Stanly, administrator, and Mary Duvalt, (late Mary Jackson,) administratrix of the estate of Lemuel G. Jackson, deceased, and all of Van Buren county;

Was read a first time; when,

On motion of Mr. Lewis,

The 42d rule was suspended and the same read a second and third time.

Mr. Rogers moved

To amend the title of the same by adding, "all of Van Buren county;"

Which was agreed to.

The question was then taken upon the passage of the bill;

Put, carried and title agreed to.

No. 122, H. R. file, A bill to legalize the acts of James M. Denson, an acting Justice of the Peace, in and for Linn county;

Was read a second time; when,

On motion of Mr. Berry,

The 42d rule was supended, and the same read a second and third time, passed and title agreed to.

Mr. Barton asked and obtained leave of absence for Messrs. Morgan and Culbertson.

Mr. Newell asked and obtained leave of absence for Mr. Sales.

The following message was then received from the Governor, by Mr. Stull:

EXECUTIVE DEPARTMENT,
Iowa City, 14th of February, 1843.

I return to the House of Representatives in which it originated, a bill entitled "an act to divorce certain persons therein named," with my objections to it.

This bill provides for divorcing no less than nineteen couples, who have been lawfully joined in marriage. It proposes to rend assunder the most sacred ties by which members of the human family can become connected, deeply involving in the consequences, the unoffending offspring of those marriages, and leaving them to the mortifying consciousness that one of those to whom they owe their existence, stands branded by a grave and solemn act of legislation, as being unworthy of the relation in which they stand to each other.

At an early period of the present session, the House of Representatives adopted a resolution, declaring in effect that it was inexpedient to pass laws annuling the bonds of matrimony, which I believe remains unrevoked, otherwise than by the passage of this bill. Hence it is reasonable to presume that those against whom such applications for legislative interposition, was contemplated, if they happened to have notice of them, were thrown completely off their guard and rested satisfied that no such legislation would be countenanced by that body, at the present session. Since the adoption of that resolution, an act has passed both branches of the Legislature, and has become a law, declaring the causes for which divorces shall be decreed by the courts, and prescribing the manner of proceeding in such cases. This act seems to me, to embrace all the ordinary causes for which divorces are usually demanded. It makes provision for hearing the parties, and gives those against whom causes of divorce are alleged, an opportunity of demanding legal and competent truth of such allegations.

If to the dissolution of a connection so important, by a decree of your courts, it is deemed proper to give the party accused an opportunity to be heard, and to guard against the danger of injustice, from an ex parte proceeding, why are those safe guards to fairness and justice less necessary, when the same result is to be produced by an act of legislation? Why not summon the individuals whose rights are to be effected by your acts? Why not give them an oppertunity to cross examine the witnesses upon whose evidence their most important interests are to be decided, and upon which, in most cases, their future respectability and standing in society is to depend.

There is an intrinsic cruelty, as well as manifest injustice, in releasing a man from the solemn obligation entered into at the alter, to "love and cherish" a helpless and confiding woman, and at the same time to stigmatize her as unworthy to claim the performance of the contract, without even granting her the privileges secured by the constitution and laws of every free country, to persons accused of the most trivial offences, of being "informed of the nature and cause of the accusation" and of being heard by themselves and their counsel.

It is held by many whose opinions are entitled to respect, that the obligations contracted by husband and wife, on being united in marriage, are of that description which were intended to be protected by that provision of the Constitution of the United States, which prohibits to the several States, the enactment of any law "imparing the obligation of contracts;" but whether they constitute a **CONTRACT** within the meaning of the expression as used in the Constitution, or not, it must be conceded that the undertaking is of at least as high import to the parties, and of more interest to those connected with them, and to society in general, than any contract merely effecting pecuniary matters, and ought not therefore to be abrogated or "impaired," but upon the clearest evidence of necessity, and upon the fullest opportunity given, of thorough investigation in the presence of the parties or their specially authorized representatives.

The theory of our government teaches, that the most perfect security to liberty and to individual rights, is to be found in the distribution of its powers among three distinct bodies of magistracy, and the confinement of each within the sphere prescribed by the Constitution for its action. I submit then, that the concurrent exercise of the power to dissolve the bonds of matrimony, by the legislative and judicial departments, is a departure, and a dangerous one, from the principles of our government and ought to cease. If the powers conferred by law upon the judiciary, are found too limited, let them be enlarged; still securing to the parties implicated, the unalienable and invaluable right of defending themselves, and of demanding the production of legal and competent evidence against them, before sentence of divorce is pronounced.

I have heretofore given a reluctant approval to acts affecting individual cases of this kind, but more mature reflection and an examination of our statute books, in connection with this bill, satisfies me that too much facility and encouragement has been given to applications for legislative interposition in such cases, and that it will be more safe and more consistent with the principles of our government to leave them to judicial action, than to continue to legislate for each particular case.

JOHN CHAMBERS.

On motion of Mr. Lewis,
The same was ordered to lie on the table.

No. 73, C. file, An act to organize, discipline and govern the militia.
Was read a second time; when,
On motion of Mr. Newell,
The same was referred to the committee on military affairs.

No. 77, C. file, An act to regulate conveyances;
Was read a second time; when,
On motion of Mr. Rogers,
The 42d rule was suspended; and,
The same read a third time, passed and title agreed to.

The following message was received from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—The Council have passed,

No. 119, H. R. file, An act to locate a Territorial road from a certain point on the Territorial road leading from Bloomington to Iowa City, and to the rapids on Cedar river.

No. 82, C. file, An act authorizing Daniel Smead & C. W. Hughes, to sell certain real estate.

No. 124, H. R. file, An act to locate a Territorial road in Louisa and Washington counties.

The Council have concurred in all the amendments made by the House, to

No. 64, C. file, An act defining crimes and punishments;

Except that made in the second line of the 36th section, to which they have disagreed.

The Council have disagreed to all the amendments made by the House, to

No. 56, C, file, An act to establish new counties and define their boundaries in the late cession from the Sac and Fox Indians, and for other purposes.

The act to divorce certain persons therein named, being returned from the Governor with his objections thereto, was taken up;

And upon the question,

Shall the bill pass by a constitutional majority ?

The yeas and nays were ordered;

Yeas 16; Nays 7.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Berry,
Brierly,
Briggs,
Felkner,
Goddard,
Hackleman,
Hepner,
Lewis,
McCulloch,
Newell,
Rogers,
Steele,
Swearingen,
Thornton.

Those who voted in the negative were,

Messrs. Blair,
Bunker,
Jay,
McMillan.
Robertson,
Walworth,
Wilson,

So the bill passed.

No. 65, C. file, An act defining the number of copies of the laws of the present session to be published, and the mode of their distribution.

Being returned from the Council with amendments, the same were concurred in; when,

On motion of Mr. McMillan,

The same was ordered to be engrossed and read a third time to-morrow.

No. 43, H. R. file, An act allowing the holders of a charter to erect a dam across the Des Moines river, &c.;

Being returned from the Council with amendments, the same were concurred in; when,

On motion of Mr. Lewis,

The 42d rule was suspended; and,

The same read a third time, passed and title agreed to.

Mr. Barton, from the committee on engrossed bills, have examined

No. 92, H. R. file, A bill to authorize the Board of County Commissioners of Scott and Lee counties, to grant lecenses to Pilots, &c.;

And,

No. 112, H. R. file, An act regulating marriages;

And find the same to be correctly engrossed.

No. 92, H. R. file, A bill to authorize the Board of County Commissioners of Scott and Lee counties to grant licenses;

Was read a third time; and,

Upon the question of the passage of the same, the yeas and nays were ordered;

Yeas 14; Nays 7.

Those who voted in the affirmative were,

Messrs. Barton,
Blair,
Brierly,
Bunker,
Goddard,
Jay,
Lewis,
McCulloch,
McMillan,
Newell,
Robertson,
Steele,
Swearingen,
Thornton.

Those who voted in the negative were,

Messrs. Andros,
Berry,
Briggs,
Felkner,
Hackleman,
Hepner,
Rogers.

So the bill passed and title was agreed to.

The following message was received from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—The Council have passed,

No. 62, C. file, An act to prevent injury by dogs;

And,

No. 81, C. file, Joint resolution for the relief of Andrew Logan.

The Council have indefinitely postponed

No. 103, H. R. file, An act to relocate a part of the Territorial road from Davenport to Marion;

Also,

No. 108, H. R. file, An act for the organization of County Medical Societies and to regulate the practice of physic and surgery.

I herewith present for your signature,

An act authorizing the several Boards of County Commissioners, to grant permits for constructing dams across navigable rivers.

The report of the committee on expenditures was taken up, and,
On motion of Mr. Felkner,
No. 76, C. file, A joint resolution for the relief of the estate of Jas. M. Hawkins, deceased.
Was laid on the table.

The House then considered
No. 123, H. R. file, Joint resolution allowing pay to Peter Conboy.
Mr. Felkner moved
To amend the same by striking out "twelve dollars," and inserting "eight;"
Which was lost; when,
On motion of Mr. Hepner,
The same was indefinitely postponed.

On motion of Mr. Rogers,
The House adjourned.

TWO O'CLOCK, P. M.

No. 64, C. file, An act defining crimes and punishments;
Being returned from the Council with their disagreement to the amendment of the House to the 36th section of said bill.
On motion of Mr. Rogers,
The House receded from said amendment.

No. 112, H. R. file, An an regulating marriages;
Was read a third time; and,
On the passage of the bill, the yeas and nays were ordered.
Yeas 13, Nays 9.

Those who voted in the affirmative were,

Messrs. Barton,	Hackleman,	Rogers,
Blair,	Hepner,	Swearingen,
Brierly,	Lewis,	Speaker.
Culbertson,	McCulloch,	
Goddard,	McMillan,	

Those who voted in the negative were,

Messrs. Berry,	Felkner,	Thornton,
Briggs,	Newell,	Walworth,
Bunker,	Steele,	Wilson.

So the bill passed and the title was agreed to.

No. 82, C. file, A bill authorizing Daniel Smead and Clayton W. Hughes to sell certain real estate;
Was read a first time.
Mr. McMillan moved
That the 42d rule be suspended and the bill be read a second time;
Which was agreed to.
On motion of Mr. McMillan,
The same was referred to the delegation from Henry county.

No. 56, C. file, An act to establish new counties and define their boundaries in the late cession from the Sac and Fox Indians, and for other purposes;
Being returned from the Council with their disagreement to the amendments of the House to said bill; when,
On motion of Mr. Barton,
The House insisted upon their amendments.

No. 62, C. file, An act to prevent injury by dogs;
Was read a first time; and,
On motion of Mr. Wilson,
The 42d rule was suspended; and,
The bill read a second time.
Mr. Newell moved that the same be indefinitely postponed;
Upon which question the yeas and nays were ordered;
Yeas 9, Nays 16.

Those who voted in the affirmative were,
Messrs. Barton,
Blair,
Briggs,
Bunker,
Hepner,
Newell,
Rogers,
Wilson,
Speaker.

Those who voted in the negative were,
Messrs. Andros,
Berry
Brierly,
Culbertson,
Felkner,
Goddard,
Hackleman,
Jay,
Lewis,
McCulloch,
McMillan,
Robertson,
Steele,
Swearingen,
Thornton,
Walworth.

So the motion was lost.

Mr. Newell moved to refer the bill to a select committee of one from each electoral district.

Mr. Barton moved to amend by instructing said committee to report the bill back and recommend its indefinite postponement.
Which was lost.

The question was then taken upon referring the bill, and agreed to; and, The Chair appointed Messrs. Newell, Blair, Briggs, Culbertson, Jay, McCulloch, Robertson, Swearingen, Thornton and Walworth.

On motion of Mr. Lewis,
The House adjourned.

WEDNESDAY MORNING, FEBRUARY 15, 1843.

The House met pursuant to adjournment.

The following message was then received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have passed
No. 36, C. file, An act to allow and regulate the action of ejectment;
In which the concurrence of the House is requested.

Mr. Briggs presented the petition of sundry citizens of Charleston, Iowa, in relation to a certain ferry charter; which,
On motion of Mr. Briggs,
Was referred to the committee on incorporations.

Mr. Andros presented the account of John H. McKinney; which,
On motion of Mr. Andros,
Was referred to the committee on expenditures.

Mr. Lewis from the committee to whom was referred
No. 127, H. R. file, An act to amend an act entitled an act to allow and regulate the action of right and ejectment;
Reported the same back to the House with amendments and requested its passage.

Mr. Briggs, from the committee on enrolled bills, have examined
An act to locate a Territorial road in Louisa and Washington counties.
And,
An act to locate a certain Territorial road therein named;
And find the same to be correctly enrolled.

Mr. McMillan, from the committee to whom was referred
No. 82, C. file, An act authorizing Daniel Smead and Clayton W. Hughes to sell certain real estate;
Reported the same back to the House with the following amendments:

Insert after the word "holders" in the 4th line of the second section, the following: "To be appointed by the Probate Judge."

Strike out the words "two thirds" in the 14th line of the 2d section, and insert "the full amount."

No. 127, H. R. file, A bill to amend an act entitled an act to allow and regulate the action of ejectment;

Being reported back to the House with amendments, by the committee to whom the same was referred;

Was taken up, and amendments concurred in; when,

On motion of Mr. Lewis,

The 42d rule was suspended and the same read a third time, passed and title agreed to.

No. 82, C. file, An act authorizing Daniel Smead and Clayton W. Hughes, to sell certain real estate;

With the report of the committee to whom the same was referred;

Was taken up, and said report concurred in; when,

On motion of Mr. Newel,

The same was ordered to lie on the table.

No. 65, C. file, An act defining the number of copies of the Laws of the present session to be published, and the mode of their distribution.

Was read a third time, passed and title agreed to.

No. 81, C. file, Joint resolution for the relief of Andrew Logan;

Was read a first time.

No. 36, C. file, An act to allow and regulate the action of ejectment;

Was read a first time.

On motion of Mr. Lewis,

The 42d rule was suspended and the same read a second time; when,

On motion of Mr. McMillan,

The bill was referred to the committee on the judiciary.

Mr. Felkner presented the account of the Post Master.

Mr. Felkner moved to refer the same to the committee on expenditures.

Mr. Hepner moved to amend the motion by instructing said committee, to require the Post Master to make oath as to the correctness of said account.

Upon which the yeas and nays were ordered;

Yeas 24; Nays 2.

Those who voted in the affirmative were,

Messrs. Barton,
Berry,
Blair,
Brierly,
Briggs,
Bunker,
Culbertson,
Goddard,
Hackleman,
Hepner,
Jay,
Lewis,
McCulloch,
McMillan,
Newell,
Robertson,
Rogers,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson.
Speaker.

Those who voted in the negative were,
Messrs. Andros, Felkner.
So the amendment was agreed to.

The question was then taken upon the motion to refer, put and agreed to.

Mr. Felkner presented the petition of John Hawkins, relative to unpaid postage of last year.

Mr. Felkner moved to take from the table,
No. 76, C. file, Joint resolution for the relief of the estate of James M. Hawkins, deceased.
Which was agreed to; when,
On motion of Mr. Felkner,
The 42d rule was suspended; and,
The same read a third time, passed and title agreed to.

Mr. Newell, from the select committee, to whom was referred,
No. 62, C. file, An act to prevent injury by dogs;
Reported the same back to the House with an amendment;
Which was agreed to; when,
On motion of Mr. Andros,
The 42d rule was supended; and,
The same read a third time, passed and title agreed to.

Mr. Hepner, from the select committee, to whom was referred,
No. 126, H. R. file, Joint resolution relative to the preparation, indexing and distribution of the revised statutes;
Reported a substitute for the same;
Which was read a first time.

Mr. McMillan moved to amend the 6th line of the 1st section by inserting after the word "revised," the words "or ordered to be reprinted."

Which motion was agreed to.

The question was then taken upon the adoption of the substitute, put and agreed to.

Mr. Andros moved to amend the second section by inserting the following:

Provided, nothing in these resolutions shall be so construed as to authorize the payment of any of the expenses included incurred by the passage of the above resolutions, to be paid out of the Territorial Treasury.

Which was agreed to.

Mr. Rogers moved

To amend the 4th line of the 1st section, by striking out the word "required" and inserting the word "authorized;"

Which was agreed to.

The question was then taken upon the adoption of the 1st section, by yeas and nays;

Yeas 23, Nays 3.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Berry,
Blair,
Brierly,
Briggs,
Bunker,
Culbertson,
Felkner,
Hackleman,
Hepner,
Lewis,
McCulloch,
McMillan,
Rogers,
Robertson,
Sales,
Steele,
Swearingen,
Thornton,
Walworth.
Wilson,
Speaker.

Those who voted in the negative were,

Messrs. Goddard,
Jay,
Newell.

So the 1st resolution was adopted.

The question was then taken upon the adoption of the second resolution, by yeas and nays.

Yeas 26; Nays 0.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Berry,
Blair,
Brierly,
Briggs,
Bunker,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Jay,
Lewis,
McMillan,
McCulloch,
Newell,
Robertson,
Rogers,
Sales,
Steele,
Swearingen,
Thornton,
Walworth,
Wilson,
Speaker.

So the second resolution was unanimously adopted.

Mr. Barton on leave granted introduced

No. 127, H. R. file, An act to repeal the proviso to the 6th section of an act regulating marriages;

Which was read a first time.

The following message was received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have passed

No. 122, H. R. file, An act to legalize the acts of James M. Denson, an acting Justice of the Peace, in and for Linn county.

No. 43, H. R. file, An act allowing the holders of a charter to erect a dam across the Des Moines, at Bentonsport, &c.

No. 128, H. R. file, An act to legalize the acts of Wilson Stanley, administrator, and Mary Duvalt, administratrix, of the estate of Lemuel G. Jackson.

The Council have laid on the table until the 4th day of July, next
No. 112, H. R. file, An act regulating marriages.

The Council insist on their disagreement to the amendment of the House, to
N. 56, C. file, An act to establish new counties, &c.;
And have appointed Messrs. Teas, Cox and Wallace a committee of conference in relation thereto.

The Council have also passed without amendment
No. 52, H. R. file, An act to prevent damage by the firing of prairies.
I herewith present for your signature,
An act regulating the salary of the Auditor of Public Accounts and Treasurer.
An act regulating ferries.

On motion of Mr. Walworth,
The House adjourned.

TWO O'CLOCK, P. M.

No. 56, C. file, An act to establish new counties and define their boundaries in the late cession of the Sac and Fox Indians, and for other purposes;
Being returned from the Council, the Council insisting upon her disagreeing vote, to the amendments of the House to the same;
Was taken up; when,
On motion of Mr. Barton,
A committee of conference was appointed on the part of the House to confer with a similar committee to be appointed on the part of the Council, in relation to the disagreeing vote of the two Houses upon the same.

The Chair appointed Messrs. Barton, Felkner and Berry, said committee.

Mr. Rogers moved a call of the House, which was had, and absent members sent for; when,

On motion of Mr. Rogers,

The further call of the House was suspended.

Mr. Rogers, from the committee on the Judiciary, to whom was referred

No. 36, C. file, An act to allow and regulate the action of ejectment;

Reported the same back to the House without amendment, and recommended its passage; when,

On motion of McMillan,

The 42d rule was suspended; and,

The same read a third time, passed and title agreed to.

No. 120, H. R. file, Joint resolution relative to the repayment of the fine imposed upon General Jackson;

Was considered in committee of the whole, Mr. Felkner in the chair; and,

After some time spent therein, the committee rose, and by their chairman reported the same back to the House with an amendment;

Which was agreed to.

Mr. Walworth moved

To amend by inserting the following after the third resolution of the same:

Provided, That nothing contained in these resolutions shall be so construed as to reflect any disrespect upon the conduct and decision of Judge Hall, in imposing said fine.

Pending which,

Mr. Lewis moved to adjourn;

Which motion was lost.

The question was then taken upon the adoption of the proviso, by yeas and nays.

Yeas 12, Nays 14.

Those who voted in the affirmative were,

Messrs. Blair,
Bunker,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Thornton,
Walworth,
Wilson.

Those who voted in the nagative were,

Messrs. Andros,
Barton,
Berry,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
McCulloch,
Rogers,
Swearingen,
Speaker.

So the motion was lost.

Mr. Walworth moved

To amend the third resolution by inserting the following:

Provided, That the provisions of this resolution shall not be so construed, as to express any opinion in relation to the conduct or decision of Judge Hall in imposing said fine:

Upon which the yeas and nays were ordered;

Yeas 12, Nays 14.

Those who voted in the affirmative were,

Messrs. Blair,
Bunker,
Jay,
Lewis,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Thornton,
Walworth,
Wilson.

Those who voted in the negative were,

Messrs. Andros,
Barton,
Berry,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
McCulloch,
Rogers,
Swearingen,
Speaker.

So the motion was lost.

Mr. Wilson moved to adjourn;

Which motion was lost.

Mr. Rogers moved to suspend the 42d rule, and that the same be read a third time now;

Upon which the yeas and nays were ordered;

Yeas 17; Nays 9.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Berry,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Lewis,
McCulloch,
Robertson,
Rogers,
Steele,
Swearingen,
Speaker.

Those who voted in the negative were,

Messrs. Blair,
Bunker,
Jay,
McMillan,
Newell,
Sales,
Thornton,
Walworth,
Wilson.

So the motion was lost.

Mr. Sales moved to adjourn;

Which motion was lost.

Mr. Rogers moved that the resolution be engrossed and read a third time to-morrow.

Upon which motion the yeas and nays were ordered;
Yeas 16, Nays 10.

Those who voted in the affirmative were,
Messrs. Andros,
Barton,
Berry
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Lewis,
McCulloch,
Rogers,
Swearingen,
Walworth,
Speaker.

Those who voted in the negative were,
Messrs. Blair,
Bunker,
Jay,
McMillan,
Newell,
Robertson,
Sales,
Steele,
Thornton,
Wilson.

So the motion was agreed to.

The following message was received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have passsed,

No. 84, C. file, Joint resolution relative to the printing of the laws.

No. 85, C. file, An act to amend the several acts therein named.

I herewith present for your signature,
An act regulating conveyances.

I also return two enrolled bills;
The same being signed by the President of the Council.

On motion of Mr. Newell,
The House adjourned.

THURSDAY MORNING, FEBRUARY 16, 1843.

The House met pursuant to adjournment.

Mr. McMillan, from the select committee, to whom was referred No. 73, C. file, An act to organize, decipline and govern the militia; Have had the same under consideration and recommend its indefinite postponement.

Which was agreed to.

Mr. Barton, from the committee on engrossed bills, have examined
No. 120, H. R. file, Joint resolution relative to the repayment of the fine imposed upon General Jackson.
And find the same to be correctly engrossed.

Mr. Briggs, from the committee on enrolled bills, have examined
An act to legalize the acts of Wilson Stanly, administrator, and Mary Duvalt, (late Mary Jackson,) administratrix, of the estate of Lemuel G. Jackson, deceased, and all of Van Buren county.

An act allowing the holders of a charter to erect a dam across the Des Moines, at Bentonsport, further time; and to vacate a portion of the town of Bentonsport.

An act to legalize the acts of James M. Denson, an acting Justice of the Peace, in and for Linn county;
And find the same to be correctly enrolled.

The following message was received from the Council, by Mr. Fales, their Secretary:
Mr. Speaker—I herewith present for your signature
An act defining the number of copies of the laws of the present session to be published.

An act to prevent injury by dogs.

An act to allow and regulate the action of ejectment.

An act defining crimes and punishments.

Joint resolution for the relief of the estate of James M. Hawkins, deceased.

I herewith return
An act to locate a Territorial road in Louisa and Washington counties.
The same being signed by the President of the Council.

Mr. Hepner, from the committee on expenditures, reported
No. 130, H. R. file, A bill to provide for the compensation of members, officers, printers of the Legislative Assembly, and for other purposes;
Which was read a first time; when,
On motion of Mr. Hepner,
The 42nd rule was suspended; and,
The same read a second time; and,
On motion of Mr. Hepner,
The same was considered in committee of the whole, Mr. Rogers in the Chair; and,
After some time spent therein, the committee rose, and, by their chairman, reported the same back to the House without amendment;
Which was agreed to; when,

On motion of M. McCulloch,
The 42d rule was suspended; and,
The same read a third time, passed and title agreed to.

Mr. Berry, from the committee on corporations to whom was referred
The petition and remonstrance of citizens of Charleston and vicinity, praying for an act to be passed, granting the exclusive privilege to C. G. Eldrige to keep a ferry across the Mississippi river, at Charleston;

Have had the same under consideration, and have come to the conclusion, that it is inexpedient to grant the prayer of said petitioners; and asked to be discharged from any further consideration of the subject.

Mr. Lewis, from the committee on enrolled bills, reported that they had laid before the Governor, on the 15th instant for his approval:

An act organizing a Board of County Commissioners in each county.

An act for the relief of the securities of public officers in certain cases.

An act to legalize the acts of certain road commissioners, in Washington county.

An act to locate a Territorial road in Henry and Washington counties, and vacate a part of a Territorial road in said counties.

An act to relocate a part of the Territorial road leading from Burlington to Iowa City.

An act to relocate the county seat of Clayton county.

Also on the 16th instant:
An act to locate a Territorial road from a certain point on the Territorial road leading from Bloomington to Iowa City, to the rapids on Cedar river.

Mr. Berry, from the committee on corporations, to whom was referred the petition of sundry citizens of Scott county, praying for the privilege to be granted to Vanausdal & Fulton, to dam the waters of the Mississippi river between Fulton Island and the main shore in this Territory, have had the same under consideration, and came to the conclusion, that it is inexpedient at this time to grant the prayer of said petitioners, and asked to be discharged from the further consideration of the same.

Mr. Briggs then asked and obtained leave to withdraw said petition and remonstrance.

No. 129, H. R. file, An act to repeal the proviso to the 6th section of an act regulating marriages;

Was read a second time.

Mr. McMillan moved that the same be indefinitely postponed;

Pending which,

Mr. Lewis moved to suspend the 42d rule; and,

That the same be read a third time now;

Which was lost.

The question was then taken upon the indefinite postponement of the same.

The yeas and nays were ordered;

Yeas 11, Nays 12.

Those who voted in the affirmative were,

Messrs. Blair,
Bunker,
Felkner,
Goddard,
Jay,
Lewis,
McMillan,
Robertson,
Steele,
Swearingen,
Thornton.

Those who voted in the negative were,

Messrs. Andros,
Barton,
Berry,
Brierly,
Briggs,
Culbertson,
Hackleman,
Hepner,
McCulloch,
Rogers,
Sales,
Speaker.

So the motion was lost.

Mr. Hepner then moved that the same be engrossed and read a third time to-morrow.

Which motion was lost.

Mr. Briggs, from the committee on enrolled bills, reported that they had examined

An act to prevent damages by the firing of prairies.

And find the same to be correctly enrolled.

No. 120, H. R. file, Joint resolution relative to the repayment of the fine imposed upon General Jackson;

Was read a third time.

Mr. Andros moved to amend the same by adding the following:

Resolved, That we believe the fine imposed by Judge Hall on Gen. Jackson, was uncalled for by the circumstances of the case, and was an act of injustice to the veteran hero, savoring of the spirit of vindictiveness and jealousy.

Mr. Andros asked leave to withdraw the same.

Upon which the yeas and nays were ordered;

Yeas 18; Nays 5.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Berry,
Brierly,
Briggs,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Lewis,
McCulloch,
Robertson,
Rogers,
Steele,
Swearingen,
Thornton,
Speaker.

Those who voted in the negative were,

Messrs. Blair,
Bunker,
Jay,
McMillan,
Sales.

So leave was granted.

Mr. Lewis moved to amend by adding the following to the same:

"Resolved further, That the present Legislative Assembly pay Gen. Jackson back the fine imposed on him by Judge Hall, and that each member of this Legislature pay his proportional part to the Chief Clerk of this House for that purpose."

Mr. Hackleman moved to amend the amendment by inserting the following thereto:

"Provided, The gentleman from Van Buren be employed to carry the same to General Jackson, and deliver the same without any compensation."

Which motion was lost.

The question was then taken upon the original amendment;

The yeas and nays were ordered;

Yeas 1; Nays 22.

Those who voted in the affirmative were,

Mr. Lewis.

Those who voted in the negative were,

Messrs. Andros,
Barton,
Berry,
Blair,
Brierly,
Briggs,
Bunker,
Culbertson,
Felkner,
Goddard,
Hackleman,
Hepner,
Jay,
McCulloch,
McMillan,
Robertson,
Rogers,
Sales,
Steele,
Swearingen,
Thornton,
Speaker.

So the amendment was lost.

The question was then taken upon the passage of the resolution, by yeas and nays.

Yeas 19; Nays 4.

Those who voted in the affirmative were,

Messrs. Andros,
Barton,
Berry,
Felkner,
Goddard,
Hackleman,
Sales,
Steele,
Swearingen,

Blair,
Brierly,
Briggs,
Culbertson,
Hepner,
Lewis,
McCulloch,
Rogers,
Thornton,
Speaker.

Those who voted in the negative were,
Messrs. Bunker,
Jay,
McMillan,
Robertson.

So the resolutions passed.

No. 81, C. file, Joint resolution for the relief of Andrew Logan.
Was read a second time; when,
On motion of Mr. Sales,
The same was referred to a select committee, with instructions to report during the afternoon of the present day;
Which was agreed to.

The Chair appointed Messrs. Sales, Robertson and Hepner, said committee.

No. 84, C. file, Joint resolution relative to the reprinting of the laws;
Was read a first time; when,
On motion of Mr. McMillan,
The 42d rule was suspended; and,
The same read a second time.

Mr. McMillan then moved
To amend the amendment, by inserting the words "except the militia laws and the laws revised at the present session," after the clase of the last section of the same.

Mr. Hepner moved
To amend said motion so as to exclude the "militia law," in said motion;
Which was agreed to.

The amendment as amended was then agreed to; when,
On motion of Mr. McMillan,
The 42d rule was suspended; and,
The same read a third time, passed and title agreed to.

No. 85, C. file, An act to amend the several acts therein named;
Was read a first time; when,
On motion of Mr. McMillan,
The 42d rule was suspended; and the same read a second time; and,
On motion of Mr. Rogers,
All relating to the organization of townships, was stricken out.
Mr. Briggs moved
To suspend the 42d rule, so that the same be read a third time now;
Upon which the yeas and nays were ordered;
Yeas 16; Nays 5.

Those who voted in the affirmative were,

Messrs. Barton,
Berry,
Blair,
Brierly,
Bunker,
Culbertson,
Felkner,
Jay,
Lewis,
McMillan,
Robertson,
Rogers,
Sales,
Steele,
Swearingen,
Thornton.

Those who voted in the negative were,

Messrs. Briggs,
Hackleman,
Hepner,
McCulloch,
Speaker.

So the motion was agreed to; and,

The same read a third time, passed and title agreed to.

The following message was then received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have passed

No. 43, C. file, An act to incorporate the Muscatine Farmers' and Mechanics' Exchange Company.

No. 126, H. R. file, Joint resolution relative to the preparation, indexing and distribution of the revised statutes;

Also, with amendments

No. 121, H. R. file, An act allowing and regulating writs of attachment.

No. 127, H. R. file, An act to amend an act entitled an act to allow and regulate the action of right and the action of ejectment;

In which the concurrence of the House is requested.

The Council have passed

No. 86, C. file, Joint resolution extending the time required to deliver the general laws of the present session.

On motion of Mr. Bunker,

The House adjourned.

TWO O'CLOCK, P. M.

No. 43, C. file, An act to incorporate the Muscatine Farmers' and Mechanics' Exchange Company;

Was read a first time; and,

On motion of Mr. Thornton,

The 42d rule was suspended, and the same read a second time; when,

On motion of Mr. Rogers,
The same was indefinitely postponed.

No. 121, H. R. file, An act allowing and regulating writs of attachment;
And,

No. 127, H. R. file, An act to amend an act entitled an act to allow and regulate the action of ejectment;
Being returned from the Council with amendments, were taken up, and amendments concurred in.

No. 86, C. file, Joint resolution extending the time required to deliver the general laws of the present session;
Was read a first time; when,
On motion of Mr. McMillan,
The 42d rule was suspended; and,
The same read a second and third time and passed.

Mr. Briggs, from the committee on enrolled bills, have examined
Joint resolution relative to the preperation, indexing and distributing of the revised statutes of the Territory;
And find the same to be correctly enrolled.

Mr. Sales, from the select committee to whom was referred
No. 81, C. file, Joint resolution for the relief of Andrew Logan;
Reported the same back to the House; when,
On motion of Mr. Barton,
The same was laid on the table.

The following message was then received from the Council, by their Secretary, Mr. Fales:
Mr. Speaker—The Council have passed
No. 88, C. file, An act to amend the several acts providing for the erection of the Penitentiary.

No. 88, C. file, An act to amend the several acts providing for the erection of the Penitentiary;
Was read a first time; when,
On motion of Mr. McCulloch,
The 42d rule was supended; and,
The same read a second and third time, passed and title agreed to.

Mr. Briggs, from the committee on enrolled bills, have presented to the Governor for his signature, to day:
An act to locate a Territorial road in Louisa and Washington counties.

Mr. Felkner, from the committee of conference, to whom was referred
No. 56, C. file, An act to establish new counties and define their

boundaries in the late cession from the Sac and Fox Indians, and for other purposes;

Have instructed me to report, that the House recede from the amendment made to the 1st section, and adhere to the amendment made to the second and third sections, and amend the amendment of the fourth section by striking out "Manitan" and inserting "Kishkekosh," and agree with the amendment made by the House to the 5th section, and also the amendment made by the House to the sixth section. The House also recede from the amendment to the 7th section, and adhere to the amendment to the 8th section; also amend the 9th section by striking out "Moquoketa" and inserting "Benton;" also the 10th section by striking out "Tecumseh" and inserting "Tama."

Mr. Rogers moved that the House concur in said report;

Which motion was put and agreed to; when,

On motion of Mr. Barton,

The House adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

Mr. Lewis, from the committee on enrolled bills, reported that they had examined,

An act to amend an act entitled an act to allow and regulate the action of right and the action of ejectment.

And find the same to be correctly enrolled.

The following message was received from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—The Council have again considered,

An act to divorce certain persons therein named;

Together with the objections of the Governor, and have passed said act with the constitutional majority.

I herewith return three enrolled bills.

The same having been signed by the President of the Council.

Mr. Hepner on leave introduced

No. 131, H. R. file, An act to repeal the 42d section of an act entitled an act defining crimes and punishments, passed at the session of 1842 and '43;

Which was read a first time; when,

On motion of McMillan,

The 42d rule was suspended; and,

The same read a second and third time, passed and title agreed to.

The following message was received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have passed

No. 87, C. file, An act to provide for the payment of the debts of the Territory.

I herewith present for your signature, four enrolled bills.

No. 87, C. file, An act to provide for the payment of the debts of the Territory;

Was read a first time; when,

On motion of Mr. Rogers,

The 42nd rule was suspended; and,

The same read a second and third time; and,

Upon the question,

Shall the bill pass?

The yeas and nays were ordered;

Yeas 15, Nays 5.

Those who voted in the affirmative were,

Messrs. Brierly,
Briggs,
Bunker,
Culbertson,
Goddard,
Hackleman,
Hepner,
Jay,
McCulloch,
McMillan,
Rogers,
Sales,
Steele,
Thornton,
Speaker.

Those who voted in the negative were,

Messrs. Barton,
Blair,
Lewis,
Robertson,
Swearingen.

So the bill passed and title agreed to.

The following message was then received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have concurred in the report of the committee of conference, relative to

No. 56, C. file, An act to establish new counties and define their boundaries, &c.

The Council have passed with amendments

No. 130, H. R. file, An act to provide for compensation of members, officers and printers of the Legislative Assembly, and for other purposes.

Also, without amendment,

No. 131, H. R. file, An act to repeal the forty second section of an act defining crimes and punishments.

No. 130, H. R. file, An act to provide for the compensation of members, officers and printers of the Legislative Assembly, and for other purposes;

Being returned from the Council with amendments, the same were considered seperately.

The question being upon the first amendment of the Council, which was to amend the 11th section, of said bill, so as to allow William Crum additional compensation for incidental printing, for the House, of the present session;

Was put, and disagreed to.

All other amendments made by the Council, were then agreed to;

When,

On motion of Mr. Hepner,

A committee of conference was appointed to confer with a similar committee to be appointed on the part of the Council, in relation to the disagreeing vote of the same.

The Chair appointed Messrs. Hepner, Walworth and Lewis, said committee.

Mr. Lewis, from the committee on enrolled bills, reported that they had examined,

An act to repeal the 42d section of an act defining crimes and punishments, passed at the session of 1842 and '43.

And find the same to be correctly enrolled.

The committee have also presented to the Governor, to day for his signature:

An act to prevent damages by the firing of prairies.

And,

Joint resolution relative to the preparation, indexing and distributing of the revised statutes of the Territory.

Also,

An act to incorporate the Muscatine Lyceum.

The following message was received from the Council, by Mr. Fales, their Secretary:

Mr. Speaker—I herewith present for your signature,

An act to pay the debts of the Territory.

Also,

An act to establish new counties and define their boundaries in the late cession of the Sac and Fox Indians, and for other purposes.

Mr. Briggs, from the committee on enrolled bills, reported that they had presented to the Governor for his signature:

An act to repeal the 42d section of an act defining crimes and punishments.

Mr. McCulloch offered the following, which was adopted by a unanimous vote of the House:

Resolved, That a vote of thanks be tendered to James M. Morgan, for the able, dignified and impartial manner in which he has discharged his duty as Speaker of the House.

Mr. Jay offered the following, which was also adopted by a unanimous vote of the House:

Resolved, That a vote of thanks be given to B. F. Wallace, Chief Clerk of this House, for the able and skilful manner in which he has discharged the duties of his office during the present session.

Resolved, That a vote of thanks be given to Silas A. Hudson, Assistant Clerk of this House, for the able and skilful manner in which he has discharged his duties at the present session.

Mr. Hepner, from the committee of conference, to whom was referred the disagreeing vote of the two Houses, upon

No. 130, H. R. file, An act to provide for the compensation of members, officers, printers of the Legislative Assembly, and for other purposes;

Reported the same back and recommended the following amendments: in the 9th section strike out "$733 62," and insert "$785 25."

In the 11th section amendment of the Council, strike out "one hundred and seventeen," and insert "seventy-five."

Which were concurred in.

The following message was received from the Council, by their Secretary, Mr. Fales:

Mr. Speaker—The Council have reconsidered the vote by which,

No. 130, C. file, An act to provide for the compensation of members, officers and printers of the Legislature, and for other purposes;

Was passed, and have again passed the same with one amendment.

Mr. Briggs, from the committee on enrolled bills, reported that they had examined,

No. 121, H. R. file, An act alllowing and regulating writs of attachment.

And find the same correctly enrolled.

On motion of Mr. Hepner,

The House adjourned until to-morrow morning at 6 o'clock, A. M.

FRIDAY MORNING, FEBRUARY 17, 1843.

The House met pursuant to adjournment.

Mr. Briggs, from the committee on enrolled bills, reported that they had examined

An act to provide for the compensation of members, officers, printers of the Legislature, and for other purposes;

And find the same to be correctly enrolled.

The committee also laid before the Governor, for his approval, on the 16th instant:

An act allowing and regulating writs of attachments.

Mr. Robertson offered the following:

Resolved, That a committee of two be appointed on the part of the House, to act in conjunction with a similar committee on the part of the Council, to wait upon his Excellency, the Governor, and inform him that the two Houses are now ready to adjourn sine die; and to ascertain whether he has any forther communications to make to them.

The Chair appointed Messrs. Robertson and McCulloch, said committee.

Mr. Briggs, from the committee on enrolled bills, reported that they had presented to the Governor, for his approval, on the 17th instant:

An act to provide for the compensation of the members, officers and printers of the Legislature, and for other purposes.

Mr. Lewis, from the committee on enrolled bills, reported that they had presented to the Governor, for his signature:

An act regulating the action of right and ejectment.

Mr. Lewis moved

That a committee of two be appointed to wait upon the Council, and inform them that the House is now ready to adjourn sine die.

The Chair appointed Messrs. Lewis and Briggs, said committee.

Who soon returned and reported that they had discharged their duty.

Mr. Robertson, from the committee appointed to wait upon the Governor, reported that they had discharged that duty, and that the Governor informed them that he had no further communications to make to them; when,

On motion of Mr. McMillan,

Ordered, That this House do now adjourn, *sine die.*

The Speaker then addressed the House as follows:

GENTLEMEN—

The period designated for our separation has at length arrived; but before announcing the decision, which is to dissolve our official connexion, allow me to offer you my most grateful acknowledgments for the complimentary resolution with which you have honored me, and for the courtesy and forbearance which you have throughout our session been pleased to extend towards me.

If, unhappily, any intemperate feelings have been engendered by the discussion of the session, I would suggest that the present is an appropriate time to pardon and forget them, and it is to be presumed that every honorable mind will readily make the generous offering.

It is not my province, gentlemen, to pronounce an opinion upon the policy of your measures, or to predict for them any particular results, but I may be permitted to entertain the hope that for the zeal and industry you have manifested in the discharge of the public and important duties which have been entrusted to your care, you may receive the just appreciation of your constituents.

In conclusion, gentlemen, I wish you a safe and happy return to your families and friends, and although we may never again meet as brother members of the Legislature, yet I trust we shall never forget that we have been such, and that as such we shall ever cherish for each other feelings of mutual friendship and respect.

It only remains for me to announce that this House is now adjourned *sine die.*

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